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ABSTRACT

This document presents Nebraska's state plan for its vocational rehabilitation services program for fiscal years 1998-2000 as required under the Rehabilitation Act of 1973, as amended. An introductory letter from the U.S. Department of Education notes that the plan and amendments meet federal requirements. Individual sections of the plan address the following topics: (1) legal basis and state certifications; (2) development of the state plan and its supplement; (3) submission of the state plan and its supplement; (4) administration of the state plan; (5) scope of the state vocational rehabilitation services program; (6) administration of the provision of vocational rehabilitation services; (7) program administration; (8) financial administration; and (9) provision of supported employment services. The bulk of the document consists of 19 attachments, such as a summary of public comments on the state plan; plans, policies, and procedures regarding the transition to vocational rehabilitation services of students with disabilities; policy, state plan, and strategic plan changes; due process procedures; procedures and activities regarding the establishment and maintenance of a comprehensive system of personnel development; utilization of community rehabilitation programs; and quality, scope, and extent of supported employment services. (DB)

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EC

ED 419 334

State Plan

Nebraska Vocational Rehabilitation Services Program

October 1, 1997 to September 30, 2000

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EC 306422

Vocational Rehabilitation

State Office
PO Box 94987
Lincoln, NE 68509-4987

June 1997

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September 10, 1997

Mr. Frank C. Lloyd
Assistant Commissioner/Director
State Dept. of Education
Division of Rehab. Services
301 Centennial Mall South, 6th floor
Lincoln, Nebraska 68509

Dear Mr. Lloyd:

We have completed our review of the Nebraska Division of Rehabilitation Services three-year State Plan for Fiscal Years 1998-2000 for the Vocational Rehabilitation Services Program under Title I and the State Plan Supplement for the State Supported Employment Services Program under Title VI, Part C of the Rehabilitation Act, as amended.

We understand that Nebraska has discontinued its State review process under 34 CFR, Part 79, therefore, no further action is required.

The State Plan and Amendments meet the Federal requirements. The State Plan and the following State Plan Attachments are hereby approved and will become effective on October 1, 1997:

Attachment 2.3:	Summary of Public Comments on the State Plan and Its Supplement and State Unit's Response to the Comments
Attachment 4.4:	Views on State Policies and Administration of the State Plan
Attachment 4.6(b):	Request for Waiver of Statewideness
Attachment 4.9(b):	Plans, Policies and Procedures Regarding the Transition to Vocational Rehabilitation Services of Students with Disabilities

Attachment 4.11(b):	Procedures and Activities Regarding the Establishment and Maintenance of a Comprehensive System of Personnel Development
Attachment 4.12(d):	Policy, State Plan and Strategic Plan Changes; Methods to Expand and Improve Services to Individuals with the Most Severe Disabilities; Analysis of the Characteristics of Individuals Determined to be Ineligible and the Reasons for Those Determinations
Attachment 4.15:	Due Process Procedures
Attachment 5.1(b):	Rehabilitation Technology Services
Attachment 5.1(c):	Personal Assistance Services
Attachment 5.3:	Policies and Procedures Relating to Choice
Attachment 5.5(b):	Need to Establish, Develop, or Improve Community Rehabilitation Programs
Attachment 6.4:	Utilization of Community Rehabilitation Programs
Attachment 6.7(c)(2):	Order of Selection; Justification; and Outcome and Service Goals, Timeframes and Service Costs
Attachment 6.12(c)(2):	Services Subject to Financial Needs Test
Attachment 7.2:	Summary of the Comprehensive, Statewide Needs Assessment of the Rehabilitation and Career Needs of Individuals with Severe Disabilities and the Need for Supported Employment Services
Attachment 7.3:	Quality, Scope, and Extent of Supported Employment Services
Attachment 7.4:	Goals and Plans for Distribution of Title VI, Part C Funds
Attachment 7.5:	Evidence of Collaboration Regarding Supported Employment Services and Extended Services
Attachment 7.6:	Outreach Procedures for Identifying and Serving Individuals with the Most Severe Disabilities Who Are Minorities

According to your August 29, 1997 letter, Attachment 6.7(c)(2) does not specifically mention public safety officers because State Plan Section 5.4(b) specifies that State agencies will provide the special consideration for public safety officers defined in 34 CFR 361.30(b)(2). Your response meets the Federal requirements. We suggest that for next year, you reference Section 5.4(b) in the attachment for order of selection.

We are enclosing a copy of the approved State Plan documents for your files.

Sincerely,

Douglas L. Burleigh

Douglas L. Burleigh, Ph.D.
Regional Commissioner

Enclosure

cc:
Fredric K. Schroeder, Ph.D.
Douglas D. Christensen, Ph.D.
James S. Nyman, Ph.D.

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STATE PLAN FOR THE STATE VOCATIONAL REHABILITATION SERVICES PROGRAM
AND
STATE PLAN SUPPLEMENT FOR THE STATE SUPPORTED EMPLOYMENT SERVICES PROGRAM
FISCAL YEARS 1998-2000

STATE:	NEBRASKA
AGENCY:	DIVISION OF REHABILITATION SERVICES
AGENCY TYPE:	GENERAL

SECTION 1: LEGAL BASIS AND STATE CERTIFICATIONS

1.1 The Nebraska Department of Education is authorized to submit this State plan under title I of the Rehabilitation Act of 1973, as amended[1] and its supplement under title VI, part C of the Act.[2]

1.2 As a condition for the receipt of Federal funds under title I of the Act for vocational rehabilitation services, the Nebraska Department of Education [3] agrees to operate and administer the State Vocational Rehabilitation Services Program in accordance with the provisions of this State plan[4], the Act, and all applicable regulations[5], policies, and procedures established by the Secretary.

1.3 As a condition for the receipt of Federal funds under title VI, part C of the Act for supported employment services, the Division of Rehabilitation Services[6] agrees to operate and administer the State Supported Employment Services Program in accordance with the provisions of the supplement to this State plan[7], the Act, and all applicable regulations[8], policies, and procedures established by the Secretary.

1.4 The designated State agency and/or the designated State unit has the authority under State law to perform the functions of the State regarding this State plan and its supplement.

1.5 The State legally may carry out each provision of the State plan and its supplement.

1.6 All provisions of the State plan and its supplement are consistent with State law.

1.7 The State Treasurer has the authority under State law to receive, hold, and disburse Federal funds made available under this State plan and its supplement.

1.8 The Commissioner of Education has the authority to submit this State plan for vocational rehabilitation services and the State plan supplement for supported employment services.

1.9 The agency that submits this State plan and its supplement has adopted or otherwise formally approved the plan and its supplement.

1.10 The effective date of this State plan and its supplement is October 1, 1997.

______________________________	Douglas D. Christensen
(Signature)	(Typed Name of Signatory)
June 17, 1997	Commissioner of Education
(Date)	(Title)

---

[1] Public Law 93-112, as amended by Public Laws 93-516, 95-602, 98-221, 99-506, 100-630, 102-569, and 103-073.

[2] Unless otherwise stated, "Act" means the Rehabilitation Act of 1973, as amended.

[3] All references in this plan to "designated State agency" or to "the State agency" relate to the agency identified in this paragraph.

[4] No funds under title I of the Act may be awarded without an approved State plan in accordance with section 101(a) of the Act and 34 CFR part 361.

[5] Applicable regulations include the Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 76, 77, 79, 80, 81, 82, 85, and 86 and the State Vocational Rehabilitation Services Program regulations in 34 CFR part 361.

[6] All references in this State plan and its supplement to "designated State unit" relate to the agency identified in this paragraph.

[7] No funds under title VI, part C of the Act may be awarded without an approved supplement to the title I State plan in accordance with section 635(a) of the Act.

[8] Applicable regulations include the EDGAR citations in footnote 5, 34 CFR Part 361, and 34 CFR part 363.

SECTION 2: DEVELOPMENT OF THE STATE PLAN AND ITS SUPPLEMENT

2.1 Public participation requirements.

(Section 101(a)(23) of the Act; 34 CFR 361.20(a) and 363.11(g)(9))

(a) The State unit conducts public meetings throughout the State to provide all segments of the public, including interested groups, organizations, and individuals, an opportunity to comment on the State plan and its supplement prior to their development and to comment on any revisions to the State plan and its supplement.

(b) Prior to conducting the public meetings, the State unit provides appropriate and sufficient notice throughout the State of the meetings in accordance with State law governing public meetings or, in the absence of such State law, in accordance with procedures developed by the State unit in consultation with the State Rehabilitation Advisory Council, if the State unit has a Council.

2.2 Special consultation requirements.

(Sections 101(a)(20) and (23) of the Act; 34 CFR 361.20(b))

The State unit consults in the development and revision of the State plan and its supplement with the Client Assistance Program director, the State Rehabilitation Advisory Council, if the State unit has a Council, and, as appropriate, those Indian tribes, tribal organizations, and native Hawaiian organizations that represent significant numbers of individuals with disabilities within the State.

2.3 Summary of public comments.

(Section 101(a)(23) of the Act; 34 CFR 361.20(c) and 363.11(g)(9))

Attachment 2.3 summarizes the public comments on the State plan and its supplement, including comments on revisions to the State plan and its supplement, and the State unit's response to those comments.

2.4 State review process.

(34 CFR Part 79)

If the State plan, its supplement, or amendment to the State plan is subject to the State review process, such materials are reviewed and commented on in accordance with the provisions of Executive Order 12372, and comments provided by the State review process are transmitted to the Rehabilitation Services Administration.

This State plan and its supplement are subject to the State review process.

Yes_____ No__X___

SECTION 3: SUBMISSION OF THE STATE PLAN AND ITS SUPPLEMENT

3.1 Submittal of the State plan, its supplement, and revisions to the plan.

(Sections 101(a) and 635(a) of the Act; 34 CFR 76.104, 140, .141, and 142; 34 CFR 361.10 and 363.10)

The State submits this State plan and its supplement to the Secretary for approval covering a three-year period (unless the Secretary has determined a different period under 34 CFR 361.10(e)) and within the timeframes described in 34 CFR 361.10(f). The State submits revisions to the State plan and its supplement in accordance with the requirements of 34 CFR 361.10(g).

3.2 Consolidated plans.

(Section 6 of the Act; 34 CFR 361.10(c))

This State plan is a consolidated plan that includes the State plans for the vocational rehabilitation program and the developmental disabilities program.

Yes_____ No__X___

3.3 Supported employment plan.

(Sections 101(a)(25) and 635(a) of the Act; 34 CFR 361.34(a))

The State has an acceptable plan under 34 CFR Part 363 that provides for the use of funds under that part to supplement funds under 34 CFR Part 361 for the cost of services leading to supported employment.

3.4 Strategic plan.

(Sections 101(a)(34), 120 and 122 of the Act; 34 CFR 361.35, 70 and 71)

(a) The State has a three-year strategic plan to expand and improve vocational rehabilitation services, including supported employment services, for individuals with disabilities on a statewide basis in accordance with Subpart D of 34 CFR Part 361.

(b) The State uses at least 1.5 percent of its allotment under 34 CFR 361.65 for expansion and improvement activities in accordance with 34 CFR 361.73(b).

(c) The State submits its strategic plan to the Rehabilitation Services Administration at the same time it submits the State plan and supplement.

SECTION 4: ADMINISTRATION OF THE STATE PLAN

4.1 Designated State agency and designated State unit.

(Sections 101(a)(1) and (2) of the Act; 34 CFR 361.13)

(a) Designated State agency.

There is a State agency designated as the sole State agency to administer the State plan, or to supervise its administration in a political subdivision of the State by a sole local agency, in accordance with the requirements in 34 CFR 361.13(a).

The designated State agency is:

(1) _____ A State agency that is an independent State commission, board, or other agency that has as its major function vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities, or, as appropriate, individuals who are blind.

(2) __X__ The State agency administering or supervising the administration of education or vocational education in the State and which has a designated vocational rehabilitation unit as provided in 34 CFR 361.13(b) and paragraph (b) of this section of the State plan.

(3) _____ A State agency that has a designated vocational rehabilitation unit, as provided in 34 CFR 361.13(b) and paragraph (b) of this section of the State plan, and at least two other major organizational units, each of which administers one or more of the State's major programs of public education, public health, public welfare, or labor.

(4) _____ For American Samoa, the Governor.

(5) _____ A State commission or other agency that provides assistance or services to individuals who are blind and which is authorized under State law to provide vocational rehabilitation services to individuals who are blind and since it is not primarily concerned with vocational rehabilitation, it includes a designated State vocational rehabilitation unit as provided in 34 CFR 361.13(b) and paragraph (b) of this section of the State plan.

(b) Designated State unit.

If the designated State agency is of the type identified in either (a)(2) or (a)(3) of this section, or if the designated State agency for individuals who are blind is of the type identified in (a)(5) of this section and does not have as its major function vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities, the State agency includes a vocational rehabilitation bureau, division, or unit that:

(1) is primarily concerned with vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities and is responsible for the administration of the State agency's vocational rehabilitation program under the State plan, including those responsibilities specified in paragraph (5) of this subsection;

(2) has a full-time director;

(3) has a staff, at least 90 percent of whom are employed full time on the rehabilitation work of the organizational unit;

(4) is located at an organizational level and has an organizational status within the designated State agency comparable to that of other major organizational units of the agency or, in the case of an agency described in paragraph (a)(2) of this section, is so located and has that status or has a director who is the executive officer of the designated State agency; and

(5) at a minimum, has the following responsibilities that cannot be delegated to any other agency or individual:

  (A) all decisions affecting eligibility for vocational rehabilitation services, the nature and scope of available services, and the provision of services;

  (B) the determination that an individual has achieved an employment outcome consistent with the provisions of 34 CFR 361.56 and paragraph 6.15 of this State plan;

  (C) policy formulation and implementation; and

  (D) allocation and expenditure of vocational rehabilitation funds.

4.2 Independent commission or state rehabilitation advisory council.

(Sections 101(a)(36) and 105 of the Act; 34 CFR 361.16 and 17)

The State plan must contain one of the following two assurances.

(a)_____ The designated State agency is an independent consumer-controlled State commission that is primarily concerned with vocational rehabilitation or vocational and other rehabilitation and complies with the requirements in 34 CFR 361.16(a)(1)

or

(b)__X__ The State has established a State Rehabilitation Advisory Council that meets the requirements of 34 CFR 361.17 and the designated State unit:

(1) seeks and seriously considers, on a regular and ongoing basis, advice from the Council regarding the development, implementation, and amendment of the State plan and its supplement, the strategic plan, and other policies and procedures of general applicability pertaining to the provision of vocational rehabilitation services in the State; and

(2) transmits to the Council:

  (A) all plans, reports, and other information required under the Act to be submitted to the Secretary;

  (B) copies of all written policies, practices, and procedures of general applicability provided to or used by rehabilitation personnel; and

  (C) copies of due process hearing decisions in a manner that preserves the confidentiality of the participants in the hearings.

4.3 Consultations regarding the administration of the State plan.

(Section 101(a)(18) of the Act; 34 CFR 361.21(a))

In connection with matters of general policy development and implementation arising in the administration of the State plan, the State unit seeks and takes into account the views of:

(a) individuals who receive vocational rehabilitation services or, as appropriate, the individuals' representatives;

(b) personnel working in the field of vocational rehabilitation;

(c) providers of vocational rehabilitation services;

(d) the Client Assistance Program director; and

(e) the State Rehabilitation Advisory Council, if the State unit has a Council.

4.4 Views on State policies and administration of the State plan.

(Sections 101(a)(32), (36)(ii) and (iii) of the Act; 34 CFR 361.16(a)(2)(iv), 20(a)(3) and 21(b))

Attachment 4.4 describes how the State unit takes into consideration the views regarding State policy and administration of the State plan that are expressed in the consumer satisfaction surveys conducted by the State Rehabilitation Advisory Council or by the State agency if it is a consumer-controlled independent commission that meets the requirements of 34 CFR 361.16(a)(1).

(a) If the State unit has a State Rehabilitation Advisory Council, Attachment 4.4 also summarizes annually the:

(1) advice provided by the Council, including recommendations from the annual report of the Council and other reports prepared by the Council;

(2) State agency's response to the advice and recommendations, including the manner in which the State has modified its policies and procedures based on the survey of consumer satisfaction; and

(3) reasons for rejecting any advice or recommendations of the Council.

(b) If the designated State agency is an independent consumer-controlled commission that meets the requirements of 34 CFR 361.16(a)(1), Attachment 4.4 also describes how the agency has modified its policies and procedures based on the results of the consumer satisfaction surveys.

4.5 Local administration.

(Section 101(a)(1)(A) of the Act; 34 CFR 361.15)

If the State plan provides for local administration, each local agency is under the supervision of the designated State unit and is the sole local agency responsible for the administration of the program within the political subdivision that it serves.

This State plan provides for local administration.

Yes_____ No__X__

IF YES, Attachment 4.5 identifies each local agency and describes the methods each local agency uses to administer the vocational rehabilitation program in accordance with the State plan.

4.6 Statewideness and waivers of statewideness.

(Sections 101(a)(1)(A) and (4) of the Act; 34 CFR 361.25 and 26)

(a) Services provided under the State plan are available in all political subdivisions of the State.

Yes__X__ No____

(b) The State unit provides services in one or more political subdivisions of the State that increase services or expand the scope of services that are available statewide under the State plan and the:

(1) non-Federal share of the cost of these services is met from funds provided by a local public agency, including funds contributed to a local public agency by a private agency, organization, or individual; and

(2) services are likely to promote the vocational rehabilitation of substantially larger numbers of individuals with disabilities or of individuals with disabilities with particular types of impairments.

Yes__X___ No______

IF YES, Attachment 4.6(b) requests a waiver of statewideness in accordance with the requirements in 34 CFR 361.26(b).

4.7 Shared funding and administration of joint programs.

(Section 101(a)(1)(A) of the Act; 34 CFR 361.27)

The State unit is carrying out a joint program involving shared funding and administrative responsibility with another State agency or a local public agency to provide services to individuals with disabilities.

Yes_____ No___X___

(a) IF YES, Attachment 4.7(a) describes the:

(1) nature and scope of the joint program;

(2) services to be provided;

(3) respective roles of each participating agency in the provision of services and their administration; and

(4) share of the costs to be assumed by each agency.

(b) If the joint program provides services in one or more political subdivisions of the State that increase services or expand the scope of services available under the State plan, the State requests a waiver of statewideness in accordance with the provisions of 34 CFR 361.26 and paragraph 6 of this section.

4.8 Third-party cooperative arrangements involving funds from other public agencies

(Section 101(a)(1)(A); 34 CFR 361.28)

The designated State unit has entered into a third-party cooperative arrangement for providing or administering vocational rehabilitation services with another State agency or a local public agency that is furnishing part or all of the non-Federal share.

Yes__X__ No_____

(a) IF YES:

(1) The services provided by the cooperating agency are not the customary or typical services provided by that agency but are new services that have a vocational rehabilitation focus or are existing services that have been modified, adapted, expanded, or reconfigured to have a vocational rehabilitation focus.

(2) The services provided by the cooperating agency are only available to applicants for, or recipients of, services from the designated State unit.

(3) Program expenditures and staff providing services under the cooperative arrangement are under the administrative supervision of the designated State unit.

(4) All State plan requirements, including the State's order of selection, if an order is in effect, will apply to all services provided under the cooperative program.

(b) If the third-party cooperative program provides services in one or more political subdivisions of the State that increase services or expand the scope of services available under the State plan, the State requests a waiver of statewideness in accordance with the provisions of 34 CFR 361.26 and paragraph 6 of this section.

4.9 Formal cooperative agreements and arrangements.

(Sections 101(a)(11), (22), (24), (30), and (33) of the Act; 34 CFR 361.22, .23, and .24)

(a) The State unit enters into formal interagency agreements meeting the requirements in 34 CFR 361.22(a)(2) with the State education agency and, as appropriate, with local education agencies, that are responsible for the free appropriate public education of students who are receiving special education services.

(b) Attachment 4.9(b) contains the plans, policies, and procedures to:

(1) facilitate the transition of students who are receiving special education services from the provision of a free appropriate public education under the responsibility of an educational agency to the provision of vocational rehabilitation services under the responsibility of the designated State unit; and

(2) ensure outreach to and identification of students with disabilities who are not receiving special education services and to ensure their access to and receipt of vocational rehabilitation services, if appropriate.

(c) There are specific arrangements or agreements for the coordination of services for any individual who is eligible for vocational rehabilitation services and is also eligible for services under the Carl D. Perkins Vocational and Applied Technology Education Act or the Javits-Wagner-O'Day Act.

(d) The State unit cooperates with other Federal, State, and local public agencies providing services related to the rehabilitation of individuals with disabilities.

(e) In those States in which there is a separate designated State unit for individuals who are blind and also a designated State unit for all other individuals with disabilities, the two State units:

(1) have established reciprocal referral services;

(2) use each other's services and facilities to the extent feasible;

(3) jointly plan activities to improve services in the State for individuals with multiple impairments, including visual impairments; and

(4) otherwise cooperate to provide more effective services, including, if appropriate, entering into a written cooperative agreement.

(f) The State unit has established and coordinates working relationships with the Statewide Independent Living Council established under 34 CFR Part 364 and with independent living centers within the State.

4.10 Methods of administration.

(Section 101(a)(6) of the Act; 34 CFR 361.12)

The State agency, and the designated State unit if applicable, employs methods of administration found necessary by the Secretary for the proper and efficient administration of the plan and for carrying out all functions for which the State is responsible under the State plan and 34 CFR Part 361, including procedures to ensure accurate data collection and financial accountability.

4.11 Comprehensive system of personnel development.

(Sections 101(a)(6)(A), (7), and (35) of the Act; 34 CFR 361.18 and 19)

(a) The designated State agency has implemented a comprehensive system of personnel development that meets the requirements of 34 CFR 361.18.

(b) Attachment 4.11(b) describes the State's procedures and activities for the establishment and maintenance of a comprehensive system of personnel development to ensure an adequate supply of qualified professionals and paraprofessionals for the designated State unit.

This description reflects the requirements of 34 CFR 361.18 with respect to:

(1) collecting and analyzing on an annual basis data on qualified personnel needs and personnel development;

(2) developing, updating, and implementing a plan to address current and projected needs for qualified personnel;

(3) establishing and maintaining standards to ensure that professional and paraprofessional personnel are appropriately and adequately prepared and trained;

(4) ensuring that all designated State unit personnel receive appropriate and adequate training, including a description of a system of staff development, particularly relating to:

  (A) rehabilitation technology;

  (B) procedures to acquire and disseminate significant knowledge from research and other sources; and

  (C) the Rehabilitation Act Amendments of 1992.

(5) addressing, through agency staff and/or by obtaining the services of others able to communicate in appropriate modes of communication or in native languages, the individual communication needs of applicants for and recipients of services;

(6) evaluating the performance of rehabilitation counselors, coordinators, and other personnel within the context of the purpose of the vocational rehabilitation program and the policy of serving individuals with the most severe disabilities; and

(7) coordinating the designated State unit's comprehensive system of personnel development with personnel development under the Individuals with Disabilities Education Act.

(c) The designated State agency takes affirmative action to employ and advance in employment qualified individuals with disabilities.

4.12 Statewide studies and evaluations.

(Sections 101(a)(5)(A) and (B), (9)(D), (15)(A), (C) and (D), (19), 105(c)(2) and 635(b)(2) of the Act; 34 CFR 361.29 and 363.11(b))

(a) The State unit seeks the advice of the State Rehabilitation Advisory Council, if the State unit has a Council, regarding the continuing statewide studies and the annual evaluation identified in (b) and (c) of this section and, at the discretion of the State agency, seeks assistance from the Council in the preparation and analysis of the studies and evaluation.

(b) The State unit conducts continuing statewide studies to determine the current needs of individuals with disabilities within the State and the best methods to meet those needs.

As part of the development of the State plan, the continuing statewide studies, at a minimum, include:

(1) a triennial comprehensive assessment of the rehabilitation needs of individuals with severe disabilities who reside in the State, including the need for supported employment services;

(2) a triennial review of the effectiveness of outreach procedures used to identify and serve individuals with disabilities who are minorities and individuals with disabilities who are unserved and underserved by the vocational rehabilitation system; and

(3) a triennial review of a broad variety of methods to provide, expand, and improve vocational rehabilitation services to individuals with the most severe disabilities, including individuals receiving supported employment services under 34 CFR Part 363.

(c) The State unit conducts an annual evaluation of the effectiveness of the State's vocational rehabilitation program in providing vocational rehabilitation and supported employment services, especially to individuals with the most severe disabilities.

The annual evaluation analyzes the extent to which:

(1) the State has achieved the goals and priorities established in the State plan and annual amendments to the plan; and

(2) the State is in compliance with the evaluation standards and performance indicators established by the Secretary, pursuant to section 106 of the Act.

(d) Attachment 4.12(d) describes on an annual basis the:

(1) changes that have been adopted in policy, in the State plan and its amendments, and in the strategic plan and its amendments as a result of the statewide studies and the annual program evaluation;

(2) methods to expand and improve vocational rehabilitation services to individuals with the most severe disabilities, including the State unit's criteria for determining which individuals are individuals with the most severe disabilities; and

(3) analysis of the characteristics of individuals determined to be ineligible for services and the reasons for the ineligibility determinations.

(e) The designated State unit maintains copies of the statewide studies and the annual evaluations and makes them available to the Secretary upon request.

4.13 State-imposed requirements.

(Section 17 of the Act; 34 CFR 361.39)

The designated State unit identifies upon request those regulations and policies relating to the administration or operation of its vocational rehabilitation program that are State-imposed, including any regulations or policy based on State interpretation of any Federal law, regulations, or guidelines.

4.14 Protection, use, and release of personal information.

(Sections 12(c) and 101(a)(6)(A) of the Act; 34 CFR 361.38)

The designated State agency and the designated State unit have policies and procedures that are consistent with the provisions in 34 CFR 361.38 to safeguard the confidentiality of all personal information, including photographs and lists of names.

4.15 Review of rehabilitation counselor or coordinator determinations.

(Section 102(d) of the Act; 34 CFR 361.57)

Attachment 4.15 contains the procedures, including the standards of review related to the decision of the director of the designated State unit to review any decision of the impartial hearing officer, established by the director of the designated State unit in accordance with the provisions of 34 CFR 361.57 to ensure that any applicant or eligible individual who is dissatisfied with any determinations made by a rehabilitation counselor or coordinator concerning the furnishing or denial of services may request, or if appropriate may request through the individual's representative, a timely review of those determinations.

4.16 Reports.

(Section 101(a)(10) of the Act; 34 CFR 361.40)

The State unit submits reports in the form and detail and at the time required by the Secretary and complies with any requirements necessary to ensure the correctness and verification of those reports.

SECTION 5: SCOPE OF THE STATE VOCATIONAL REHABILITATION SERVICES PROGRAM

5.1 Scope of vocational rehabilitation services for individuals with disabilities.

(Section 103(a) of the Act; 34 CFR 361.48(a))

(a) Services available

As appropriate to the vocational rehabilitation needs of each individual and consistent with each individual's informed choice, the designated State unit provides the following vocational rehabilitation services:

(1) assessment for determining eligibility and priority for services;

(2) assessment for determining vocational rehabilitation needs;

(3) vocational rehabilitation counseling and guidance;

(4) referral and other services necessary to help applicants and eligible individuals secure needed services from other agencies and to advise those individuals about client assistance programs established under 34 CFR Part 370;

(5) physical and mental restoration services;

(6) vocational and other training services, including personal and vocational adjustment training, books, tools, and other training materials; except that no training in an institution of higher education may be paid for with title I funds unless the individual and the designated State unit make maximum efforts to secure grant assistance from other sources to pay in whole or in part for the training;

(7) maintenance;

(8) transportation in connection with the rendering of any vocational rehabilitation service;

(9) vocational rehabilitation services to family members of an applicant or eligible individual if necessary to enable the applicant or eligible individual to achieve an employment outcome;

(10) interpreter services for individuals who are deaf and tactile interpreting services for individuals who are deaf-blind;

(11) reader services, rehabilitation teaching services, and orientation and mobility services for individuals who are blind;

(12) recruitment and training services to provide new employment opportunities in the fields of rehabilitation, health, welfare, public safety, law enforcement, and other appropriate public service employment;

(13) job search and placement assistance and job retention services;

(14) supported employment services;

(15) personal assistance services;

(16) post-employment services;

(17) occupational licenses, tools, equipment, initial stocks, and supplies;

(18) rehabilitation technology, including vehicular modification, telecommunications, sensory, and other technological aids and devices;

(19) transition services; and

(20) other goods and services determined necessary for the individual with a disability to achieve an employment outcome.

(b) Rehabilitation technology services.

(Section 101(a)(5)(C) and (31) of the Act; 34 CFR 361.48(b)(1), (2) and (3))

Attachment 5.1(b) describes:

(1) the manner in which a broad range of rehabilitation technology services are provided at each stage of the rehabilitation process and on a statewide basis;

(2) the training that is provided to vocational rehabilitation counselors, client assistance personnel, and other related services personnel on the provision of rehabilitation technology services; and

(3) the manner in which assistive technology devices and services are provided, or worksite assessments are made, as part of the assessment to determine the eligibility and vocational rehabilitation needs of the individual.

(c) Personal assistance services.

(Section 101(a)(26) of the Act; 34 CFR 361.48(b)(4))

Attachment 5.1(c) describes the manner in which on-the-job and other related personal assistance services are provided to assist individuals while they are receiving vocational rehabilitation services.

5.2 Written policies governing the provision of services to individuals with disabilities.

(Sections 12(c), (e)(2)(A), and 101(a)(6) of the Act; 34 CFR 361.50)

(a) The State unit has written policies covering the nature and scope of each of the vocational rehabilitation services specified in 34 CFR 361.48(a) and section 5.1(a) of the State plan and covering the criteria under which each service is provided.

(b) The policies are consistent with the provisions in 34 CFR 361.50 and:

- (1) ensure that the provision of services is based on the rehabilitation needs of each individual as identified in that individual's individualized written rehabilitation program; and
- (2) do not establish any arbitrary limits on the nature and scope of services to be provided to the individual to achieve an employment outcome.

5.3 Opportunity to make informed choices regarding the selection of services and providers.

(Sections 12(e)(1), (2)(C) and (F), and 101(a)(29) of the Act; 34 CFR 361.52)

Attachment 5.3 describes how applicants, including those receiving extended evaluation services, and eligible individuals exercise informed choices throughout the vocational rehabilitation process consistent with the provisions of 34 CFR 361.52 and the following requirements.

(a) The designated State unit, in consultation with its State Rehabilitation Advisory Council, if it has a Council, has written policies and procedures pertaining to the exercise of informed choice by the individual with regard to the selection of a long-term vocational goal, intermediate rehabilitation objectives, vocational rehabilitation services, including assessment services, and service providers.

(b) State unit policies and procedures ensure that each individual receives, through appropriate modes of communication, information on the:

- (1) availability and scope of informed choice;
- (2) manner in which informed choice can be exercised; and
- (3) availability of support services for individuals with cognitive or other disabilities who require assistance in exercising informed choice.

(c) In developing an individual's individualized written rehabilitation program, the State unit provides the individual, or assists the individual in acquiring, information necessary to make an informed choice about the specific services, including the providers of those services, that are needed to achieve the individual's vocational goal.

This information includes, at a minimum, information relating to the:

- (1) cost, accessibility, and duration of potential services;
- (2) level of consumer satisfaction with those services to the extent that such information is available;
- (3) qualifications of potential service providers;
- (4) types of services offered by those providers; and
- (5) degree to which services are provided in integrated settings.

5.4 Services to special groups of individuals with disabilities.

(Sections 7, 101(a)(13), (20) and 130(b)(3) of the Act; 34 CFR 361.30)

(a) Civil employees of the United States Government.

Vocational rehabilitation services are available to civil employees of the United States Government who are disabled in the line of duty, under the same terms and conditions applied to other individuals with disabilities.

(b) Public safety officers.

Special consideration (as defined in 34 CFR 361.30(b)(2)) is provided to those individuals with disabilities whose disability arose from an impairment sustained in the line of duty while performing as a public safety officer (as defined in 34 CFR 361.30(b)(4)) and the immediate cause of that impairment was a criminal act (as defined in 34 CFR 361.30(b)(3)), apparent criminal act, or a hazardous condition resulting directly from the officer's performance of duties in direct connection with the enforcement, execution, and administration of law or fire prevention, firefighting, or related public safety activities.

(c) American Indians.

(1) Vocational rehabilitation services are provided to American Indians with disabilities residing in the State to the same extent that these services are provided to other significant groups of individuals with disabilities residing in the State.

(2) The designated State unit also provides vocational rehabilitation services, including, as appropriate, services traditionally used by Indian tribes, to American Indians with disabilities who reside on reservations and are eligible for services by a special tribal program under 34 CFR Part 371.

5.5 Scope of vocational rehabilitation services to groups of individuals with disabilities.

(Sections 101(a)(15)(B), (17), (28) and 103(b) of the Act; 34 CFR 361.33 and 49)

(a) The State plan provides for the following optional vocational rehabilitation services for the benefit of groups of individuals with disabilities.

(1) ___X___ The establishment, development, or improvement of a public or other nonprofit community rehabilitation program that is used to provide services that promote integration and competitive employment, including under special circumstances, the construction of a facility for a public or nonprofit community rehabilitation program.

(2) ___X__ Telecommunications systems that have the potential for substantially improving vocational rehabilitation service delivery methods and developing appropriate programming to meet the particular needs of individuals with disabilities, including telephone, television, video description services, satellite, tactile-vibratory devices, and similar systems.

(3) ___X__ Special services to provide recorded material for individuals who are blind, captioned television, video description services, films or video cassettes for individuals who are deaf, tactile materials for individuals who are deaf-blind, and other special services that provide information through tactile, vibratory, auditory, and visual media.

(4) ___X__ Technical assistance and support services, such as job site modification and other reasonable accommodations, to businesses that are not subject to Title I of the Americans with Disabilities Act of 1990 and that are seeking to employ individuals with disabilities.

(5) ___X__ Small business enterprises operated by individuals with the most severe disabilities under the supervision of the State unit, including the provision of management services and supervision, initial stocks and supplies, and initial operating expenses in accordance with the requirements in 34 CFR 361.49(a)(5).

(A) If the State unit provides small business enterprise services, only individuals with the most severe disabilities are selected to participate in this supervised program.

(B) If the State unit sets aside funds from the proceeds of the operation of the small business enterprises, it has a description of the methods used in setting aside funds and the purposes for which funds are set aside.

(C) Under its small business enterprises, the State unit provides:

(i) ___ only the Randolph-Sheppard Vending Facility Program;

(ii) _X_ only a program other than the Randolph-Sheppard Vending Facility Program;

(iii) ___ both the Randolph-Sheppard Vending Facility Program and another program.

(6) __X___ Other services that promise to contribute substantially to the rehabilitation of a group of individuals but that are not related directly to the individualized written rehabilitation program of any one individual.

(b) If the State plan provides for the establishment, development, or improvement of a public or nonprofit community rehabilitation program in paragraph (a)(1) of this section, Attachment 5.5(b) describes the need to establish, develop, or improve, as appropriate, the community rehabilitation program to provide vocational rehabilitation services to applicants or eligible individuals, based on the findings from the assessment of the capacity and effectiveness of community rehabilitation programs, including programs under the Javits-Wagner-O'Day Act, resulting from the use of those programs and on the plans of the agency to improve community rehabilitation programs.

(c) If the State plan provides for any of these services, the designated State unit has:

  (1) written policies covering the nature and scope of each of the vocational rehabilitation services it provides and the criteria under which each service is provided; and

  (2) information to ensure the proper and efficient administration of those services in the form and detail and at the time required by the Secretary, including:

    (A) the types of services provided;

    (B) the costs of those services; and

    (C) to the extent feasible, estimates of the numbers of individuals benefiting from those services.

5.6 Written standards for facilities and providers of services.

(Sections 12(e)(2)(B), (D), and (E) and 101(a)(6)(B) of the Act; 34 CFR 361.51)

(a) The designated State unit has, makes available to the public, and implements written minimum standards for the various types of facilities and providers of services the State unit uses in providing vocational rehabilitation services.

(b) These standards are consistent with the requirements of 34 CFR 361.51 pertaining to the accessibility of facilities, personnel standards, and the prevention of fraud, waste, and abuse.

SECTION 6: ADMINISTRATION OF THE PROVISION OF VOCATIONAL REHABILITATION SERVICES

6.1 Record of services.

(Sections 101(a)(6) and (9) of the Act; 34 CFR 361.47)

The designated State unit maintains for each applicant or eligible individual a record of services that satisfies, to the extent appropriate, the documentation requirements in 34 CFR 361.47.

6.2 Utilization of community resources.

(Section 101(a)(12)(A) of the Act; 34 CFR 361.31)

In providing vocational rehabilitation services, the designated State unit uses public or other vocational or technical training programs or other appropriate community resources to the maximum extent feasible.

6.3 Utilization of profitmaking organizations.

(Section 101(a)(21) of the Act; 34 CFR 361.32)

The designated State unit has the authority to enter into contracts with profitmaking organizations for the purpose of providing on-the-job training and related programs for individuals with disabilities under the Projects With Industry program, 34 CFR Part 379, if it has been determined that such organizations are better qualified to provide needed services than nonprofit agencies, organizations, or programs in the State.

6.4 Utilization of community rehabilitation programs.

(Sections 101(a)(5)(A), 101(a)(12)(B), 101(a)(15)(B), 101(a)(27), 101(a)(28) and 103(b)(2) of the Act; 34 CFR 361.33)

Attachment 6.4 provides a description meeting the requirements of 34 CFR 361.33(a) as to how the designated State unit uses community rehabilitation programs to the maximum extent feasible to provide vocational rehabilitation services in the most integrated settings possible, consistent with the informed choices of the individuals.

6.5 Referrals and applications.

(Sections 101(a)(6)(A) and 102(a)(5)(A) of the Act; 34 CFR 361.41)

(a) The designated State unit has standards for the prompt and equitable handling of referrals of individuals for vocational rehabilitation services. These standards include timelines for making good faith efforts to inform individuals of application requirements and to gather information necessary to initiate an assessment to determine eligibility and priority of services.

(b) Once an individual has submitted an application for vocational rehabilitation services, an eligibility determination is made within 60 days, unless:

- (1) exceptional and unforeseen circumstances beyond the control of the agency preclude a determination within 60 days and the agency and the individual agree to a specific extension of time; or
- (2) an extended evaluation is necessary.

6.6 Information and referral programs.

(Section 101(a)(22) of the Act, 34 CFR 361.37)

(a) The designated State unit:

- (1) has information and referral programs adequate to ensure that individuals with disabilities within the State are given accurate information about State vocational rehabilitation services, independent living services, vocational rehabilitation services available from other agencies, organizations, and community rehabilitation programs, and, to the extent possible, other Federal and State services and programs that assist individuals with disabilities, including client assistance and other protection and advocacy programs;
- (2) refers individuals with disabilities to other appropriate Federal and State programs that might be of benefit to them;
- (3) uses existing information and referral systems in the State to the greatest extent possible; and
- (4) uses appropriate modes of communication in its information and referral programs.

(b) The designated State unit is operating under an order of selection for services and elects to establish an expanded information and referral program that includes counseling, guidance, and referral for job placements for those eligible individuals who are not in the priority category or categories to receive vocational rehabilitation services under the State's order of selection.

Yes_____ No__X___

IF YES:

- (1) funds needed to provide services under an individualized written rehabilitation program for eligible individuals in the open priority category or categories of the order, or other eligible individuals who have begun to receive services under an individualized written rehabilitation program prior to the effective date of the order are not used to support the expanded information and referral program; and
- (2) Attachment 6.6(b)(2) describes:
  - (A) how the expanded information and referral program will be established and function;
  - (B) the level of commitment of State unit staff and resources to administer the program; and
  - (C) if the designated State unit chooses to track individuals who obtain employment through the expanded information and referral program, the number of individuals served and the number of individuals who achieve employment outcomes through the program.

6.7 Ability to serve all eligible individuals; order of selection for services.

(Sections 12(d) and 101(a)(5)(A) of the Act; 34 CFR 361.36)

(a) The designated State unit is able to provide the full range of services listed in 34 CFR 361.48(a) and paragraph 5.1(a) of the State plan, as appropriate, to all eligible individuals.

Yes_____ No__X___

(b) IF YES, Attachment 6.7(b) contains an explanation that satisfies the requirements of 34 CFR 361.36(a)(2) or (3) and describes how, on the basis of the designated State unit's projected fiscal and personnel resources and its assessment of the rehabilitation needs of individuals with severe disabilities within the State, it will:

(1) continue to provide services to all individuals currently receiving services;

(2) provide assessment services to all individuals expected to apply for services in the next fiscal year;

(3) provide services to all individuals who are expected to be determined eligible in the next fiscal year; and

(4) meet all program requirements.

(c) IF NO:

(1) Individuals with the most severe disabilities are selected for services before other individuals with disabilities.

(2) Attachment 6.7(c)(2) contains:

- (A) the order to be followed in selecting eligible individuals to be provided services;
- (B) a justification of that order of selection; and
- (C) a description of the:
  - (i) outcome and service goals to be achieved for individuals with disabilities in each category within the order;
  - (ii) time within which these goals may be achieved; and
  - (iii) service costs.

6.8 Assessment for determining eligibility and priority for services.

(Sections 7(22)(A)(ii), (C)(iii), 101(a)(9)(A), (14), (31), and 102 of the Act, 34 CFR 361.42)

(a) To determine whether an individual is eligible for vocational rehabilitation services and the individual's priority under an order of selection for services, if the State is operating under an order of selection, the designated State unit conducts an assessment in the most integrated setting possible consistent with the individual's needs and informed choice.

(b) The State unit's determination of an applicant's eligibility for vocational rehabilitation services is based only on the following requirements.

(1) A determination that the applicant has a physical or mental impairment.

(2) A determination that the applicant's physical or mental impairment constitutes or results in a substantial impediment to employment for the applicant.

(3) A presumption, in accordance with 34 CFR 361.42(a)(2) and paragraph (c) of this section of the State plan, that the applicant can benefit in terms of an employment outcome from the provision of vocational rehabilitation services.

(4) A determination that the applicant requires vocational rehabilitation services to prepare for, enter into, engage in, or retain gainful employment consistent with the applicant's strengths, resources, priorities, concerns, abilities, capabilities, and informed choice.

(c) The designated State unit presumes that an applicant who meets the eligibility requirements in paragraphs (b)(1) and (b)(2) of this section can benefit in terms of an employment outcome unless it demonstrates, based on clear and convincing evidence, that the applicant is incapable of benefiting in terms of an employment outcome from vocational rehabilitation services.

(d) If an applicant has appropriate evidence, such as an award letter, that establishes the applicant's eligibility for Social Security benefits under Title II or Title XVI of the Social Security Act, the designated State unit presumes that the applicant:

(1) meets the eligibility requirements in paragraphs (b)(1) and (2) of this section; and

(2) has a severe physical or mental impairment that seriously limits one or more functional capacities in terms of an employment outcome.

(e) In the application of the eligibility criteria, the following requirements must be met.

(1) No duration of residence requirement is imposed that excludes from services any applicant who is present in the State.

(2) No applicant or group of applicants is excluded or found ineligible solely on the basis of the type of disability.

(3) The eligibility requirements are applied without regard to the age, gender, race, color, creed, or national origin of the applicant.

(4) The eligibility requirements are applied without regard to the particular service needs or anticipated cost of services required by an applicant or the income level of an applicant or applicant's family.

6.9 Procedures for ineligibility determination.

(Sections 101(a)(9)(D), 102(a)(6), and (c) of the Act; 34 CFR 361.43)

If the State unit determines that an applicant is ineligible for vocational rehabilitation services or determines that an individual receiving services under an individualized written rehabilitation program is no longer eligible for services, the State unit:

(a) makes the determination only after providing an opportunity for full consultation with the individual or, as appropriate, with the individual's representative;

(b) informs the individual in writing, supplemented as necessary by other appropriate modes of communication consistent with the informed choice of the individual, of the ineligibility determination, including:

  (1) the reasons for that determination;

  (2) the requirements under this section; and

  (3) the means by which the individual may express and seek remedy for any dissatisfaction, including the procedures for review of a determination by the rehabilitation counselor or coordinator in accordance with 34 CFR 361.57.

(c) provides the individual with a description of services available from a client assistance program established under 34 CFR Part 370 and information on how to contact that program; and

(d) reviews any ineligibility determination that is based on a finding that the individual is incapable of achieving an employment outcome within 12 months and annually thereafter if requested by the individual or, if appropriate, by the individual's representative, except when the:

  (1) individual has refused the review;

  (2) individual is no longer present in the State;

  (3) individual's whereabouts are unknown; or

  (4) individual's medical condition is rapidly progressive or terminal.

6.10 Closure without ineligibility determination.

(Sections 12(c) and 101(a)(6)(A) of the Act, 34 CFR 361.44)

The State unit does not close an applicant's record of services prior to making an eligibility determination unless the:

(a) applicant declines to participate in, or is unavailable to complete an assessment for determining eligibility and priority for services; and

(b) State unit has made a reasonable number of attempts to contact the applicant or, if appropriate, the applicant's representative to encourage the applicant's participation.

6.11 Availability of comparable services and benefits.

(Section 101(a)(8) of the Act; 34 CFR 361.53)

(a) Prior to providing any vocational rehabilitation services to an eligible individual, or to members of the individual's family, except those services identified in paragraph (d) of this section, the State unit determines whether comparable services and benefits exist under any other program and whether those services and benefits are available to the individual.

(b) If comparable services or benefits exist under any other program and are available to the eligible individual at the time needed to achieve the rehabilitation objectives in the individual's individualized written rehabilitation program, the State unit uses those comparable services or benefits to meet, in whole or in part, the cost of vocational rehabilitation services.

(c) If comparable services or benefits exist under any other program, but are not available to the individual at the time needed to satisfy the rehabilitation objectives in the individual's individualized written rehabilitation program, the State unit provides vocational rehabilitation services until those comparable services and benefits become available.

(d) The following services are exempt from a determination of the availability of comparable services and benefits:

  (1) assessment for determining eligibility and priority for services;

  (2) assessment for determining vocational rehabilitation needs;

(3) vocational rehabilitation counseling, guidance, and referral services;

(4) vocational and other training services, such as personal and vocational adjustment training, books, including alternative format books accessible by computer and taped texts, tools and other training materials in accordance with section 5.1(a)(6) of the State plan;

(5) placement services;

(6) rehabilitation technology; and

(7) post-employment services consisting of the services listed under paragraphs (1) through (6) of this subsection.

(e) The requirements of paragraph (a) of this section also do not apply if:

(1) the determination of the availability of comparable services and benefits under any other program would delay the provision of vocational rehabilitation services to any individual who is determined to be at extreme medical risk, based on medical evidence provided by an appropriate qualified medical professional; or

(2) an immediate job placement would be lost due to a delay in the provision of comparable services and benefits.

6.12 Participation of individuals in cost of services based on financial need.

(Section 12(c) of the Act; 34 CFR 361.54)

(a) No financial needs test is applied and no financial participation is required as a condition for furnishing the following vocational rehabilitation services:

(1) assessment for determining eligibility and priority for services, except those non-assessment services that are provided during an extended evaluation for an individual with a severe disability;

(2) assessment for determining vocational rehabilitation needs;

(3) vocational rehabilitation counseling, guidance, and referral services; and

(4) placement services.

(b) The State unit considers the financial need of eligible individuals or individuals who are receiving services during an extended evaluation to determine the extent of their participation in the costs of vocational rehabilitation services.

Yes__X__ No_____

(c) IF YES:

(1) The State unit has written policies on the determination of financial need that are consistent with the provisions of 34 CFR 361.54 and:

(A) are applied uniformly to all individuals in similar circumstances;

(B) ensure that the level of the individual's participation in the cost of vocational rehabilitation services is:

(i) reasonable;

(ii) based on the individual's financial need, including the consideration of any disability-related expenses paid by the individual; and

(iii) not so high as to effectively deny the individual a necessary service.

(2) Attachment 6.12(c)(2) specifies those services for which the designated State unit has a financial needs test.

6.13 Development of the individualized written rehabilitation program.

(Sections 7(22)(B), 102(b)(1)(A) and (b)(2); 34 CFR 361.45)

(a) The designated State unit conducts an assessment to determine the vocational rehabilitation needs for each eligible individual, including the need for supported employment services, or, if the State is operating under an order of selection, for each eligible individual to whom the State is able to provide services, for the purpose of identifying the long-term vocational goal, intermediate rehabilitation objectives, and the nature and scope of services to be included in the individualized written rehabilitation program of the individual.

(b) The development of the individualized written rehabilitation program meets the following procedural requirements.

  (1) The individualized written rehabilitation program is developed jointly, agreed to, and signed by the vocational rehabilitation counselor or coordinator and the individual or, as appropriate, the individual's representative within the framework of a counseling and guidance relationship.

  (2) The State unit has established and implemented standards for the prompt development of individualized written rehabilitation programs for the individuals identified under paragraph (a) of this section, including timelines that take into consideration the needs of the individual.

  (3) The State unit advises each individual or, as appropriate, the individual's representative of all State unit procedures and requirements affecting the development and review of an individualized written rehabilitation program, including the availability of appropriate modes of communication.

  (4) In developing an individualized written rehabilitation program for a student with a disability who is receiving special education services, the State unit considers the student's individualized education program.

  (5) The State unit reviews the individualized written rehabilitation program with the individual or, as appropriate, the individual's representative as often as necessary, but at least once each year to assess the individual's progress in meeting the objectives identified in the program.

  (6) The State unit incorporates into the individualized written rehabilitation program any revisions that are necessary to reflect changes in the individual's vocational goal, intermediate objectives, or vocational rehabilitation services, and obtains the agreement and signature of the individual or, as appropriate, of the individual's representative, to the revisions.

  (7) The State unit promptly provides each individual or, as appropriate, the individual's representative, a copy of the individualized written rehabilitation program and its amendments in the native language, or appropriate mode of communication, of the individual or, as appropriate, of the individual's representative.

6.14 Content of the individualized written rehabilitation program.

(Sections 101(a)(9), (A), (B), (C), 102(b)(1), 102(c), and 635(b)(6) of the Act, 34 CFR 361.46 and 363.11(g)(3))

(a) Each individualized written rehabilitation program includes, as appropriate, statements concerning:

  (1) the specific long-term vocational goal which must be:

    (A) based on the assessment for determining vocational rehabilitation needs, including the individual's career interests; and

    (B) in an integrated setting to the extent appropriate and consistent with the individual's informed choice;

  (2) the specific intermediate rehabilitation objectives related to the attainment of the long-term vocational goal based on the assessment for determining vocational rehabilitation needs and consistent with the informed choice of the individual;

  (3) the specific rehabilitation services to be provided to achieve the established intermediate rehabilitation objectives;

  (4) (A) the projected date for the initiation of each vocational rehabilitation service;

    (B) the anticipated duration of each service; and

    (C) the projected timeframe for achievement of the individual's long-term vocational goal;

  (5) a procedure and schedule for periodic review and evaluation of progress toward achieving intermediate rehabilitation objectives based upon objective criteria;

  (6) how, in the words of the individual or, as appropriate, in the words of the individual's representative, the individual was informed about and involved in choosing among alternative goals, objectives, services, providers, and methods used to procure or provide services;

(7) the terms and conditions for the provision of vocational rehabilitation services, including:
  - (A) responsibilities of the individual in implementing the individualized written rehabilitation program;
  - (B) extent of the individual's participation in the cost of services;
  - (C) extent to which goods and services will be provided in the most integrated settings possible, consistent with the informed choice of the individual;
  - (D) extent to which comparable services and benefits are available to the individual under any other program; and
  - (E) entity or entities that will provide the services and the process used to provide or procure the services;

(8) the rights of the individual under 34 CFR 361 and the means by which the individual may express and seek remedy for any dissatisfaction, including the opportunity for a review of rehabilitation counselor or coordinator determinations under 34 CFR 361.57;

(9) the availability of a client assistance program established under 34 CFR Part 370; and

(10) the basis on which the individual has been determined to have achieved an employment outcome consistent with the requirements of 34 CFR 361.56 and paragraph 6.15 of this section.

(b) The individualized written rehabilitation program for individuals with the most severe disabilities for whom a vocational goal in a supported employment setting has been determined to be appropriate also contains a description of the:

(1) supported employment services to be provided by the State unit; and

(2) extended services needed together with the identification of the source of such services or if the source of extended services is not known at the time of the development of the individualized written rehabilitation program, an explanation of the basis for concluding that there is a reasonable expectation that such services will become available.

(c) The individualized written rehabilitation program for each individual contains statements concerning post-employment services with respect to:

(1) the expected need for such services;

(2) the reassessment of the need for post-employment services prior to the determination that the individual has achieved an employment outcome;

(3) terms and conditions for the provision of post-employment services, including the anticipated duration of the services, subsequent to the individual achieving an employment outcome; and

(4) if appropriate, how post-employment services will be provided or arranged through cooperative agreements with other service providers.

(d) The individualized written rehabilitation program for a student with a disability who is receiving special education services is coordinated with the individualized education program for that individual in terms of the goals, objectives, and services identified in the individualized education program.

(e) The decision that an individual is not capable of achieving an employment outcome and is no longer eligible to receive services under an individualized written rehabilitation program is made in accordance with the requirements in 34 CFR 361.43 and section 6.9 of the State plan.

6.15 Individuals determined to have achieved an employment outcome.

(Sections 12(c), 101(a)(6), and 106(a)(2) of the Act, 34 CFR 361.56)

An individual is determined to have achieved an employment outcome only if all of the following requirements are met:

(a) the provision of services under the individual's individualized written rehabilitation program has contributed to the achievement of the employment outcome;

(b) the employment outcome is consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice;

(c) the employment outcome is in the most integrated setting possible, consistent with the individual's informed choice;

(d) the individual has maintained the employment outcome for a period of at least 90 days; and

(e) at the end of the appropriate period under subparagraph (d) of this section, the individual and the rehabilitation counselor or coordinator consider the employment outcome to be satisfactory and agree that the individual is performing well on the job.

6.16 Review of extended employment.

(Section 101(a)(16) of the Act; 34 CFR 361.55)

The designated State unit:

(a) reviews and re-evaluates at least annually the status of each individual who has achieved an employment outcome in an:

  (1) extended employment setting in a community rehabilitation program; or

  (2) other employment setting in which the individual is compensated in accordance with section 14(c) of the Fair Labor Standards Act;

(b) makes maximum effort, including the identification of vocational rehabilitation services, reasonable accommodations, and other support services, to enable the eligible individual to benefit from training in, or to be placed in employment in, an integrated setting; and

(c) provides services designed to promote movement from extended employment to integrated employment, including supported employment, independent living, and community participation.

STATE PLAN SUPPLEMENT FOR THE STATE SUPPORTED EMPLOYMENT SERVICES PROGRAM

SECTION 7: PROGRAM ADMINISTRATION

7.1 Designated state unit.

(Section 635(b)(1) of the Act; 34 CFR 363.11(a))

The designated State unit for vocational rehabilitation services identified in paragraph 1.3 of this plan is the State agency designated to administer the State Supported Employment Services Program authorized under title VI, part C of the Act.

7.2 Statewide assessment of supported employment services needs.

(Section 635(b)(2) of the Act; 34 CFR 363.11(b))

Attachment 7.2 summarizes the results of the comprehensive, statewide needs assessment conducted under section 101(a)(5) of the Act and paragraph 4.12(b)(1) of the State plan with respect to the rehabilitation and career needs of individuals with severe disabilities and the need for supported employment services, including the needs related to the coordination and use of the information within the State relating to section 618(b)(1)(C) of the Individuals with Disabilities Education Act.

7.3 Description of the quality, scope, and extent of supported employment services.

(Section 635(b)(3) of the Act; 34 CFR 363.11(c) and 50(b)(2))

Attachment 7.3 describes the quality, scope, and extent of supported employment services to be provided to individuals with the most severe disabilities, including the timing of the transition to extended services.

7.4 Goals and plans for distribution of title VI, part C funds.

(Section 635(b)(3) of the Act; 34 CFR 363.11(d) and 20)

Attachment 7.4 specifies the State's goals and plans with respect to the distribution of funds received under section 632 of the Act.

7.5 Evidence of collaboration with respect to supported employment services and extended services.

(Sections 635(b)(4) and (5) of the Act; 34 CFR 363.11(e))

Attachment 7.5 demonstrates evidence of the efforts of the designated State unit to identify and make arrangements, including entering into cooperative agreements, with:

(a) other State agencies and other appropriate entities to assist in the provision of supported employment services; and

(b) other public or nonprofit agencies or organizations within the State, employers, natural supports, and other entities with respect to the provision of extended services.

7.6 Minority outreach.

(34 CFR 363.11(f))

Attachment 7.6 describes the designated State unit's outreach procedures for identifying and serving individuals with the most severe disabilities who are minorities.

7.7 Reports.

(Sections 635(b)(8) and 636 of the Act, 34 CFR 363.11(h) and 52)

The designated State unit submits reports in such form and in accordance with such procedures as the Secretary may require and collects the information required by section 13 of the Act separately for individuals receiving supported employment services under part C of title VI and individuals receiving supported employment services under title I of the Act.

SECTION 8: FINANCIAL ADMINISTRATION

8.1 Five percent limitation on administrative costs.

(Section 635(b)(7) of the Act, 34 CFR 363.11(g)(8))

The designated State unit expends no more than five percent of the State's allotment under section 632 of the Act for administrative costs in carrying out the State Supported Employment Services Program.

8.2 Use of funds in providing services.

(Sections 633 and 635(b)(6)(A) and (D) of the Act, 34 CFR 363.6(c)(2)(iv), .11(g)(1), and (4))

(a) Funds made available under title VI, part C of the Act are only used by the designated State unit to provide supported employment services to individuals with the most severe disabilities who are eligible to receive such services.

(b) Funds provided under title VI, part C are only used to supplement, and not supplant, the funds provided under title I of the Act, in providing supported employment services specified in an individual's individualized written rehabilitation program.

(c) Funds provided under part C of title VI, title I, or subsections (b) or (c) of section 311 of the Act are not used to provide extended services to individuals who are eligible under part C of title VI or title I of the Act.

SECTION 9: PROVISION OF SUPPORTED EMPLOYMENT SERVICES

9.1 Scope of supported employment services.

(Sections 635(b)(6)(F) and (G) of the Act, 34 CFR 361.5(b)(46); 363.11(g)(6) and (7))

(a) Supported employment services are those services as defined in 34 CFR 361.5(b)(46).

(b) To the extent job skills training is provided, the training is provided on-site.

(c) Supported employment services include placement in an integrated setting for the maximum number of hours possible based on the unique strengths, resources, interests, concerns, abilities, and capabilities of individuals with the most severe disabilities.

9.2 Comprehensive assessments of individuals with severe disabilities.

(Section 634(3) and 635(b)(6)(B) of the Act, 34 CFR 363.11(g)(2))

The comprehensive assessment of individuals with severe disabilities conducted under 34 CFR 361.45(c) and paragraph 6.13(a) of this State plan and funded under title I of the Act includes consideration of supported employment as an appropriate rehabilitation objective.

9.3 Individualized written rehabilitation program.

(Sections 635(b)(6)(C) and (E) of the Act, 34 CFR 363.11(g)(3) and (5))

(a) An individualized written rehabilitation program that meets the requirements of section 102 of the Act, 34 CFR 361.45 and.46, and paragraphs 6.13 and.14 of this State plan is developed and updated using funds under Title I.

(b) The individualized written rehabilitation program:

(1) specifies the supported employment services to be provided;

(2) describes the expected extended services needed, including natural supports;

(3) identifies State, Federal, or private programs or other resources that will provide the extended services, including:

(A) a description of the basis for determining that extended services are available; or

(B) to the extent that it is not possible to identify the source of extended services at the time the individualized written rehabilitation program is developed, a statement describing the basis for concluding that there is a reasonable expectation that sources will become available; and

(4) provides for periodic monitoring to ensure that the individual is making satisfactory progress toward meeting the weekly work requirement established in the individualized written rehabilitation program by the time of transition to extended services.

(c) Services provided under an individualized written rehabilitation program are coordinated with services provided under other individualized plans established under other Federal or State programs.

ATTACHMENTS REQUIRED OF ALL AGENCIES

Attachment 2.3:	Summary of Public Comments on the State Plan and Its Supplement and State Unit's Response to the Comments
Attachment 4.4:	Views on State Policies and Administration of the State Plan
Attachment 4.9(b):	Plans, Policies and Procedures Regarding the Transition to Vocational Rehabilitation Services of Students with Disabilities
Attachment 4.11(b):	Procedures and Activities Regarding the Establishment and Maintenance of a Comprehensive System of Personnel Development
Attachment 4.12(d):	Policy, State Plan and Strategic Plan Changes; Methods to Expand and Improve Services to Individuals with the Most Severe Disabilities; Analysis of the Characteristics of Individuals Determined to be Ineligible and the Reasons for Those Determinations
Attachment 4.15:	Due Process Procedures
Attachment 5.1(b):	Rehabilitation Technology Services
Attachment 5.1(c):	Personal Assistance Services
Attachment 5.3:	Policies and Procedures Relating to Choice
Attachment 6.4:	Utilization of Community Rehabilitation Programs
Attachment 7.2:	Summary of the Comprehensive, Statewide Needs Assessment of the Rehabilitation and Career Needs of Individuals with Severe Disabilities and the Need for Supported Employment Services
Attachment 7.3:	Quality, Scope, and Extent of Supported Employment Services
Attachment 7.4:	Goals and Plans for Distribution of Title VI, Part C Funds
Attachment 7.5:	Evidence of Collaboration Regarding Supported Employment Services and Extended Services
Attachment 7.6:	Outreach Procedures for Identifying and Serving Individuals with the Most Severe Disabilities Who are Minorities

ATTACHMENTS CONTINGENT ON OPTIONS SELECTED

The following attachments identified by an "X" are also submitted as part of the State plan.

	Attachment 4.5:	Local Administration
X	Attachment 4.6(b):	Request for Waiver of Statewideness
	Attachment 4.7(a):	Shared Funding and Administration of Joint Program
X	Attachment 5.5(b):	Need to Establish, Develop, or Improve Community Rehabilitation Programs
	Attachment 6.6(b)(2):	Expanded Information and Referral Program for Agencies on an Order of Selection
	Attachment 6.7(b):	Explanation to Support the Decision Not to Establish an Order of Selection
X	Attachment 6.7(c)(2):	Order of Selection; Justification; and Outcome and Service Goals, Timeframes and Service Costs
X	Attachment 6.12(c)(2):	Services Subject to Financial Needs Test

Attachment 2.3: Summary of Public Comments on the State Plan and Its Supplement and Response to the Comments

In the development of the State Plan and Strategic Plan, Vocational Rehabilitation used the Joint Agency Meeting (JAM) approach to actively soliciting public participation, first used last year. Persons with disabilities, their families, and advocates complained repeatedly about the number of different public forums and meetings they are forced to attend to provide information and comment on the services Nebraska's public agencies provide to them. They consistently recommended the agencies hold combined public meetings to reduce hardship on consumers and their families, and to entertain comment on concerns and issues cutting across agency lines. Nebraska's Client Assistance Program took the lead in organizing the joint public meetings sought by consumers.

In preparation for the April 1997 meeting, Vocational Rehabilitation prepared a 5 page announcement (We Would Like to Know Your Ideas About Directions for Vocational Rehabilitation). This described current and proposed State Plan and Strategic Plan activities, and posed specific questions for comment and response. This was sent to approximately 3,300 recipients including disability consumer groups, community rehabilitation programs, centers for independent living, mental retardation, developmental disabilities, and mental health programs, clubhouse programs for persons with mental illness, Indian tribes, persons with disabilities and others. Public notices were posted in Vocational Rehabilitation field offices and published both in a newspaper of general circulation in the state and local newspapers serving areas reached by JAM downlink sites.

The Joint Agency Meeting, better known as JAM, is co-sponsored by several agencies and organizations. The first JAM was held in April of 1996, and was downlinked to several Nebraska sites followed by on-site JAM meetings held in McCook and in Omaha. The purpose of the JAM is to respond to public comments and questions relating to disabilities issues. During the videoconference, the panel will be available to hear your comments and respond to questions. For example, questions or comments relating to employment, independent living, transportation, assistive devices, financial assistance, transition, and special education are welcome. Our panel consists of representatives from each sponsoring agency and organization:

>> Cathy Anderson, Director of the Developmental Disability System for the Nebraska Department of Health and Human Services.

>> Frank Lloyd, Director of the Statewide Vocational Rehabilitation Program.

>> Mike Schafer with the Nebraska Statewide Independent Living Council.

>> Roland Snuttjer, unit manager of the Medically-Handicapped Children's Program, Services for Children and Adults with Disabilities, Individual and Community Services Division, Nebraska Department of Health and Human services.

>> Tanya Wendel, Director of the Nebraska Commission for the Hearing Impaired.

>> Don Anderson, Department of Education, Special Populations Office which includes Title I and special education.

>> Mark Schultz, Project Director for the Nebraska Assistive Technology Project in the Department of Education.

The JAM Session (Joint Agency Meeting) used a videoconference format, originating from the NETV studios in Lincoln, and broadcast via satellite to 7 locations throughout the state, and by public access television in Lincoln. The video portion was supported by both real time captioning and an on-camera interpreter for persons with hearing impairments. Each location was linked via an 800 number to the studio, to relay questions and comments from the site to the panel. A Vocational Rehabilitation representative was present at each site to specifically solicit any questions, concerns, or comments related to the State Plan and Strategic Plan.

The following comments and responses are taken from the JAM real time captioning transcript. These include only those comments directly related to Vocational Rehabilitation, employment, transition, or coordination of services. Two written comments concerning Vocational Rehabilitation were also received. These comments, and the responses to them, are incorporated at appropriate places in the transcript.

Rehabilitation needs of persons with significant disabilities

Rural Nebraska

What is being done to ensure that rural Nebraska will maintain and enhance resources for persons with disabilities?

>> Frank Lloyd: I can answer part of the question. One particular service available to people with disabilities is supported employment services. Around the state, three or four years ago, there were about 29 providers of supportive employment services. Those were primarily in the metropolitan areas. During the past several years through federal grant, there has been the development of probably an additional 145 service providers. So now you have choice of support employment services in smaller cities around the state. We in Vocational Rehabilitation have a real concern that services be community-based. Therefore, we're very interested in anything that will develop an infrastructure of services for not only people with developmental disabilities but people who experience a brain injury as well as people who have mental health issues. There's a lot of work that needs to be done to get those services out of the urban areas and into the rural communities.

Deaf and hearing impaired

Can you tell us in general what are Voc. Rehab.'s provisions and plans for serving the deaf population for the next five years if you can summarize that?

>> Frank Lloyd: I can tell you in regard to N.S.D., we have had a person who has worked closely with us through N.S.D. to provide for transition services and employment services for people that were enrolled at that facility. Even with the budget cuts, that relationship will continue. Our relationship with N.S.D. and students coming out of that program will not change. We will continue to have a strong presence there.

Will there be hard of hearing schools and hard of hearing colleges in the near future with people trained in the area of teaching? It is badly needed. Group classes for swimming, karate, and et cetera are needed for hard of hearing people. The CAN and CART are new for people who are hard of hearing, and it's very hard to find someone available for council meetings and conferences.

>> Don Anderson: From the educational perspective and for school-aged children, there will always be services for children who are hearing impaired or deaf. The capacity of those services, I think, in the future will be as strong or stronger than they currently are right now. I think that the services and the models that will be delivering those services will be similar but different, but I think we will continue to have the full array of services and alternatives that currently exist but probably delivered in a different way.

The first question is the availability for continuing education for adults that are hard of hearing and/or deaf. The next part of the question is what about special classes for hard of hearing, for example, sign language classes? The third part, is there any special funding to pay for an interpreter for those people who need one but cannot afford it? If I need to repeat any parts of this, I would be happy to.

>> Tanya Wendel: Connected with the adult education, our agency does get involved in working with the community colleges. We have provided some computer classes in the past. We do provide sign language classes to businesses that employ deaf individuals. We have had a speech reading seminar that benefits hard of hearing people. We do try to identify needs. So if you are interested in these type of courses, this is what we need to know.

Assistance financially for interpreters, I know that some of the organizations, the interpreter group has a special fund that they have set up. Also the Lincoln Association of the Deaf has some funding. Mainly civic groups is a good resource for you, especially if you are looking for an interpreter for personal needs.

Generally sign language interpreters are provided and paid for by businesses because of the passage of the Americans With Disabilities Act.

>> Frank Lloyd: I might respond to that question as well. If the person is eligible for Vocational Rehabilitation Services, we can provide funds for continuing education if it relates to them becoming employed. We can also provide resources for interpreters if that is also necessary for them to become employed. We just have to look at the individual's situation. But if it's related to employment, we could provide resources in both of those categories.

Mental illness

Are there other options for persons with mental illness or health problems other than Goodwill?

>> Frank Lloyd: Yes, we have several partnerships around the state with the mental health system. I can't address specifically the partnerships that we have in Lincoln but I know the staff does work with the mental health system. They're trying to enhance and improve the services between **Vocational Rehabilitation** and the mental health system. So if a person was eligible for Vocational Rehabilitation and they had mental health issues, we would be working in conjunction with the mental health system to help that person maintain or secure employment.

Some of the supports I feel would be beneficial to those with serious mental illness are counseling and/or therapy. Many of these individuals seem to have a lot of issues going on with them that are never dealt with, so they continue to come up as problems.

>>**Vocational Rehabilitation**: This illustrates the importance of partnerships between **Vocational Rehabilitation** and the mental health system. Ideally, there should be coordination so the person receives any counseling or therapy necessary for mental health issues from the mental system concurrent with employment services from **Vocational Rehabilitation**.

Please explain the procedure once a person is ready to leave Wagon Wheel, the regional center, and go into the community to work?

>> Frank Lloyd: I'm not quite sure how to respond to that. I would assume if they're ready to go into the community and work, there would be some contact with the local Vocational Rehabilitation office in Lincoln. They would meet with a counselor or an Independent Living specialist or an evaluator and at that point, they would begin planning what their career goals were, what they wanted to do, what resources they had, and they would go from there.

Can you provide any recent information on the redesign of mental health services?

>> Cathy Anderson: I cannot. That's not my area. Behavioral Health is in a different division within Health and Human Services. If you have some specific information or a specific question or you would like – I know they have some materials out on the redesign and the process so if you want to give your name and address, we can make sure that something is mailed to you.

What is being done to ensure people with chronic mental illness will still be able to receive affordable mental health services?

>> Cathy Anderson: The only thing is I will say is that's part of the Nebraska Health and Human Services Department. It's Behavioral Health Services. We don't have a representative from Behavioral Health this evening. So I think that we can take the question and see if we can get an answer. If we have some way of getting back to the caller, we certainly could provide them a response on that.

I have a comment to read. *Persons with severe brain disorders continue to be the last, the lost, and the among Nebraska citizens with disabilities. This fact is graphically illustrated by the absence tonight of an agency representative knowledgeable about behavioral health to show up here and be accountable and answer questions about the system's continuing failure to meet the needs of persons with psychiatric disabilities. JAM is an excellent opportunity for dialogue. For a continuance with critical needs to have no one to take their questions is insulting. Panel members, please exert your influence to change this shameful indifference.*

Transportation

Transportation is an overriding need for persons with significant disabilities. Public transportation will not always be the answer. There needs to be some sort of reliable, affordable alternative.

>>**Vocational Rehabilitation**: Some of our local office Strategic Plans propose to deal with transportation issues. We expect this will receive attention over the next few years, and we will be able to identify effective, reliable, and affordable community alternatives.

Employment

Are there agencies that help in placement of individuals with vocations they may be capable of working in?

>> Frank Lloyd: Yes, we can provide job placement for people who experience a disability, and we can either provide that through local staff or could be contracted with a private entrepreneur in the community. That is a service that we do provide.

Are there services available for addressing the issues of assessment of strength in individuals and suggestions for employment?

>> Frank Lloyd: Yes, each person who applies for Vocational Rehabilitation services will receive an assessment to determine what their strengths are and what areas they're most interested in and to become directed in the area that's their most compatible in terms of employment.

If you're not a client of Voc. Rehab. but are involved with Work Net, how will it work in finding employment for individuals with disabilities?

>> Frank Lloyd: Vocational Rehabilitation has a partnership with Work Net in Lincoln as well as in Beatrice, I believe, and in Omaha. We share resources. They provide a lot of the job placement for the people we work with. We provide the other kinds of services that the person might need such as custom training or assessment or assistive technology. So if this person is working with Work Net, it's very likely that our staff are also involved, and they would be able to access the services through the Statewide Vocational Rehabilitation Program as well.

Do you follow-up with employers after the person has been placed? If so, what type of inquiries do you make?

>> Frank Lloyd: That would depend on what the consumer wanted. We have some consumers who are very willing for us to have close contact with the employer, not only in securing the job but also in helping them maintain employment. We have other individuals with disabilities who prefer that we not contact the employer after they are working there. So we honor that. That's their choice.

There should be better liaisons with the business community to create a pool of jobs that those with disabilities could choose from.

>>Vocational Rehabilitation: As part of our 2,001 in 2001 strategy, we will be focusing on establishing partnerships with targeted businesses and industries; i.e., those offering significant amounts of employment at a living wage, with benefits and opportunities for career advancement.

Transition

I'm interested in options available for high school students for job shadowing experiences or preparing students for the transition from high school to job market.

>> Frank Lloyd: I can address the question. This individual should work through the school system. There would be an I.E.P., an Individualized Educational Plan, that would be developed with that person and their parents. Vocational Rehabilitation would also be involved. I'm not sure exactly what specific services we might provide for that person, but it would be services that would be part of the Individualized Educational Program. As the person is ready to graduate from high school or go into the world of work, I'm sure that Vocational Rehabilitation, if they were eligible for our services, could provide that specialized assistance for them.

>> Don Anderson: I would like to add a couple more things. Part of the special education program, the Individualized Education Plan that Frank referred to is a requirement for a transition plan for students and parents to be involved in that transition plan from school to adult life. If you have questions about what the school's involvement is or any questions about how that transition plan works, we have some cooperative types of activities going on with Voc. Rehab. If you want to get in touch with somebody from the State to get pictures of rules and regulations, call our office. 402-471-2471.

Has there been thought given to combining the I.E.P., the IWRP, and the D.D. plan into one document?

>> Frank Lloyd: I will start the answer. In terms of combining the I.E.P. and the IWRP, we are not in favor of doing that. Our federal partner would like us to develop an IWRP on all the people we work with that are in school. We think that doesn't really make sense.

We think the schools have responsibility for providing a free and appropriate education for all people in the school system and that there should be only one planning document and that would be the Individualized Education Program. For that reason when we're in the schools and working with the teachers and students and parents, we don't develop an Individualized Written Rehabilitation Program. We're not even interested in trying to modify that program so it is consistent with the I.E.P. We just use the I.E.P. as the central planning document.

As the student gets closer to graduation and they leave school, they're no longer under an I.E.P. At that point we would be developing an Individualized Written Rehabilitation Plan as they would move out in the adult world.

>> Cathy Anderson: With regard to the Developmental Disabilities Individual Program Plan. What the intent is that the I.P.P. is held at the same time as the I.E.P. There are different requirements and the I.E.P. needs to meet educational requirements so we require that the staff participate in those meetings and that they try to hold then the individual programming planning meeting at the same time so you have all people involved with that individual's life there at the same time. There are again some different regulatory requirements for the I.P.P., but the way we have tried to streamline that is to make sure that the two processes happen at the same time, if at all possible. So if that's what the student and/or parent wants, that's how it is held, at the same time.

>> Don Anderson: I would like to comment on that a little bit, too. The I.E.P., the Individualized Education Plan, is going through some revisions at the federal level. I think you will see some changes in there that will make the transition and compatibility between different plans a little easier.

I believe that was the intent of the transition plan in itself for children who are turning 16 years of age or earlier that some of the components that would be in the I.E.P. would transition into the other plans as the child would get older.

A process that we're working with at the other end of the continuum, the young children from 0-3 and children from 3-5, we're working on that transition from the IFSP, Individualized Family Service Plan for 0-3 children and trying to meet the various plan requirements of all the various agencies within one document. I think we are learning some things from that.

I think as time goes on, we will be able to incorporate similar components and maybe not have as many documents as we currently have right now but a plan that can be developed and seeing how it all fits together as the child becomes an adult.

In our experience, there is a large gap in services for foster children who are state wards with disabilities. They leave school with academic studies and before they become eligible to receive adult services. Who is responsible for these young children and what is available?

>>Frank Lloyd: I can try to answer that question. It's very likely that we would have been working with that student when they were in school, at least beginning at age 14. When they exit the school system, we would have some responsibility for providing the employment focus for that person. We would also have some responsibility for trying to coordinate other services that they might need. We would be limited on the services that go beyond employment services for that person.

For example, if they had natural supports, if they were with their family unit or some family unit in the community and were working, we could continue to work with them until employment was stabilized. When employment was stabilized, we would not be able to continue to work with them for long periods of time. That's probably where the problem comes in because we need to be sure that there are some long term supports for that person, particularly if it's a couple years or two or three years before they are age 21. That's where we would have to work closely with D.D.D. Services to assure that that person had those long term supports.

I don't know if that really answers the question. It's a concern of ours that there's a gap between high school and adult services. We are trying to do what we can to fill in some of those gaps.

With the dollars fading from school districts, will the State allow termination to happen before age 21 without expecting the schools to pay through the individual's 21st year for those in the severe profound range and must have long range support?

>> Cathy Anderson: I will just talk about the 21-year-old rule at least for Developmental Disability Services. We do not have any funding for individuals who transition from special education until they turn 21 and graduate from special education. And there's nothing in the works legislatively to change that. I will turn it over to Don to talk about the school's perspective.

>> Don Anderson: Whenever there is tight funds out there, they always talk about decreasing the age limit for special education. There has been some discussion this year. I don't consider it to be serious discussion because the State Constitution says to 21. It would have to be changed in the State Constitution to lower that age limit. I'm not sure once we establish that in the State of Nebraska to be 21 that we could back off that and be in compliance with the federal law as well, which would be the Individuals Disabilities Education Act. I don't see the State moving back from that responsibility.

With special education funding [being changed], who's going to pay for transitional services?

>> Don Anderson: I don't see the responsibilities of school districts changing with the changing of the funding formula. In essence, what is happening as districts start to realize that the state funding formula has changed, their budgets have adjusted. We're, of course, not sure how that has happened. I think in the next few years, we will know what the over all impact is.

I don't see the relationship between Voc. Rehab. and education changing because of the funding structure or lack of funds for special education. I think that partnership will grow stronger and we will find ways to work better together. But the relationship, I think, will continue to be the same.

>> Frank Lloyd: I think the responsibility for transition services is with the school districts. Those students are under an I.E.P., which is an educational document. They're not under the Vocational Rehabilitation IWRP. We feel that responsibility rests with the school. However, we feel it's Vocational Rehabilitation's responsibility to work with these schools beginning at age 14 for those students in planning. It's primarily a planning role that we play. As the student gets closer to graduation, then we feel Vocational Rehabilitation has a responsibility to pick up those employment services so there is a smooth transition out into the world of work.

I would like information on the populations being served, what services can be expected and what kind of accountability system will be in place regarding vocational training with youth?

>> Frank Lloyd: I can answer part of that question. In our partnerships with the school districts around the state, Vocational Rehabilitation will be providing training services for youth through their I.E.P. We're looking at a couple of partnerships with the Juvenile Services through H.H.S. to provide training services to that population as well. That may be part of an answer.

>> Don Anderson: I'll add a short statement. We are trying to put together a follow-up study in the transition project we have with Voc. Rehab. and trying to do a better job of following up with students that have been involved in that project and come up with some data there. A number of school districts have volunteered to participate in that activity throughout the state and we will do follow-up data collection.

Are there job trainers? Our foster daughter needs help this summer with a job. I have asked for help with this and gotten no response except you're doing it right, I'll get back to you, I'll check into it and it's gone no further.

>> Frank Lloyd: There are job trainers, supportive employment job trainers around the state. Vocational Rehabilitation has contracts with 177 of them, so that service is very plentiful in the state. If the person is eligible for Vocational Rehabilitation Services, we have adequate funds to provide that service. Also, on the job training is another service that could be provided for that person.

Financial Needs Test

Why is V.R. considering a financial needs test, and what does this really mean?

>> Frank Lloyd: The reason for financial needs test is to give those people who have adequate finances an opportunity to participate in their program. The test is not intended to penalize people who are in the low to middle income range. What our concern was that those in the upper income categories would have an opportunity to participate and pay for part of the rehabilitation costs. We did not want to be so stringent with the financial needs test that the program was only open to people who were at a poverty level. We did not want that.

We feel Vocational Rehabilitation Services should be readily available to a wide spectrum of the population, and we feel this financial needs test does that. However, it does require that people in the upper income categories pay for such services as assistive technology and some very expensive services.

If we have people who have concerns about applying a financial needs test to some of the Vocational Rehabilitation services, we would appreciate their comments. They could send those in to us and we would like to know that because we have not finalized that financial needs test as yet. So we would appreciate any comments.

Supported employment

Has there been any development in the streamlining of the process for D.D. consumers receiving supported employment from Voc. Rehab. through noncertified Health and Human Services providers so the D.D. consumers could transition easily into extended support with the same noncertified providers?

>> Cathy Anderson: If a person is transitioning from school to adult services and they already have a supported employment situation and they want to continue that, if that supported employment provider is already under contract with Vocational Rehabilitation, then we have a reciprocal agreement to accept their certification of that provider or that contractor. That is a streamlined process. The person does have to already be recognized by Vocational Rehabilitation, though, as a provider that they would normally pay. Then the provider does not have to go through the Developmental Disabilities certification process.

>> Frank Lloyd: I might make one comment about that as well. We currently have contracts with about 177 support employment providers around the state. Many of those are new entrepreneurial providers. Since we will be working with a lot of people who need supportive employment services as young as perhaps 16 or 17 when they may actually receive that service, we do think it's very important that whatever provider is selected to provide the supportive employment that that provider be able to continue to work with that person so there's a smooth transition between once they become stabilized on the job and when they need the long term support. We're very supportive of D.D.D. for being able to do that to provide a smooth transition for those who are receiving support employment services through Voc. Rehab.

How can one ensure that enough hours for long term support will be provided for clients in terms of employment and residential services?

>> Cathy Anderson: I would really need some additional clarification. When the question is how can one ensure enough hours, I'm not sure what is meant by enough hours. The intent is that when the team sits down and talks about the kind of intervention that a person needs, they do discuss the number of hours of intervention. As the person's needs change so can the hours of intervention. But if the person who called in the question would like to call back and provide a little bit more clarification or specification on enough, that would be – I could probably give you a better answer that's not so ambiguous.

There's a waiting list for D.D.D. Where are these people on the waiting list and how do they get into community-based programs? Does D.D.D. give preference to people in large communities over small communities?

>> Cathy Anderson: We have a registry of unmet needs across the state. That list is broken down into three components at this point in time. There are people who are covered by what is known as the Governor's Blueprint for Developmental Disabilities. Those are people who had applied for services prior to June 1, 1995 and who had a need in this current biennium which is 1995 to June 30, 1997. Those individuals were part of a proposal to ensure that they would receive services that they needed by June 30th of 1997. That was over 1,000 individuals. So far, we have authorized services for about 900 of those people. There are a couple hundred left to be authorized yet this year so it will be prior to June 30th. Those individuals will be authorized for services this year.

Then the group of people who applied for services after June 1, 1995 – and there are some of those individuals who still need services yet this year. The way their needs are being addressed is if there is any attrition in services, someone leaves services or the amount of services they require decreases, that that money is reinvested to provide services to those individuals. That's determined on the basis of two criteria.

The first priority for service is that a person does not have or is in need of food, clothing, shelter, or in a situation that is abusive or neglectful or potentially abusive or neglectful. The second thing we look at is how long they have been on the waiting list. That is looked at statewide. It's the same criteria used statewide. It does not favor people in urban or rural areas. It is dependent upon your need and the time that you applied for services.

The third category of people are people who have requested services who need them during the next biennium, 1997 to June 30 of 1999. Those individuals there is no funding initiative that has been addressed or identified to specifically provide dollars for their services. However, they will be addressed in the same manner with the reinvestment strategy.

So as we bring in additional federal dollars and free up state general funds, those monies are used to serve people again using the same criteria I addressed earlier or through the reinvestment when there is changes of people currently in services.

One piece that's going to assist us with this is that the Governor's Blueprint provided a plan for an objective assessment process to be determined. The initial work on the objective assessment process has been completed, and the tool has been utilized – or used to assess all people who are currently in community-based services as well as services at the Beatrice State Developmental Center. We have done the initial data collection. Now what is currently happening, as we speak, there are people going out to do field work, to do observations, to ask further questions about individuals, because we have what we call divergent pairs of individuals. Specifically what that means is we have people who they may have the same number of hours authorized, but then when you look at their characteristics about their needs, they're very, very different from one another or you have people who have very different services, yet their hours are exactly the same. So people are going out to try to make sense of this.

We have a statistician psychologist who is responsible for actually helping us analyze this information. What we intend to do is once we have the information analyzed and have some initial findings, we're going to do public forums across the state of Nebraska to share with people what we have found, what we learned from the information, and how we plan to use that information in determining or setting hours of intervention for people.

Assistive Technology

If I was attending college, would I qualify for the assistive technology? More specifically, if a private school doesn't provide the technology needed for hearing impaired, who will?

>> **Mark Schultz**: The Americans With Disabilities Act is going to make some requirements for reasonable accommodations. I would suggest - we have been working with quite a few of the university and colleges here in Nebraska. Some of them have actually set up centers for accommodations including assistive technology. We'd be glad if you would like to contact us to work with the college or university to see if we can identify what technology is available. I'm sure they recognize their responsibility under the Americans With Disabilities Act to provide that. In some cases they may be covered by Section 504 of the Rehabilitation Act and there would be requirements for services and accommodations through that as well. If they're attending and it's part of a Vocational Rehabilitation program, there may be some responsibility there or some assistance available for assistive technology.

Independent living services

Are I.L. centers going to replace VRIL services some day?

>> **Frank Lloyd**: Well, I really don't know if they will. I think that Mike needs to respond to this question as well. I think the services that we provide through the state V.R. program, the employment part of our program, are really different than those independent living services that are provided out in the community. Much of the independent living services we do provide are directed toward helping a person become employed or moving toward employment. So I think the services that would be provided through Independent Living Centers are more in terms of advocacy. Mike, you might respond to that.

>> **Mike Schafer**: Well, I doubt very seriously that they will ever replace the Voc. Rehab. provided Independent Living Services. Centers generally provide different services than do Vocational Rehabilitation and some of the same services. Most centers provide a broad array of services that include independent living, skills training, advocacy, information and referral, assisting people to access financial benefits for which they might be eligible. The funding is different.

I will say that I think Nebraska is one of the few states where V.R. does provide Independent Living Services. They've been doing it for gosh, I don't know how many years, but a lot of years before the center's funding ever became available in 1979. But as to whether or not they will replace VRIL services, I doubt that that's the case.

>> **Frank Lloyd**: I might make one other comment. In terms of the Independent Living services, we are the only State Vocational Rehabilitation Program that has Independent Living Services as part of our basic employment program. Those services have been there for a long time.

In addition we provide funding along with Services for Visually Impaired for the Independent Living Center in the Panhandle and we are also considering funding for an additional center or two elsewhere in the state through the Independent Living Council.

Are there any I.L. centers being planned in the state and if so where?

>> **Mike Schafer**: At this time there are no formal plans of which we are aware for other centers being established within the state. The council has developed an initiative that if we're able to get the funding - and we're working with both Voc. Rehab., and Services for the Visually Impaired to try to secure funding. -we have a plan developed, and we will be assisting communities, assuming the funding is received, to develop the capacity to establish Centers for Independent Living in other parts of the state.

We have identified a number of counties within the state that are completely unserved and a number of more counties, about 49 as I recall, that are underserved in terms of resources. Currently, there are five Centers for Independent Living within the state serving 75 counties, I believe, was the number in one form or another. But most of that are not extensive services that are closely located to the center itself. Most of it is done by itinerant workers, if you want to use that term, people who travel from county to county serving people within their home.

So we certainly hope within the next couple of years that we are able to assist some communities and consumer groups in establishing Centers for Independent Living. If we get that funding, by the way, we will do some marketing and a mailing to a number of communities and individuals throughout the state and requesting those individuals and communities to notify us of their interest. We have some criteria established which will require a commitment from consumer groups and a commitment from their communities to actively pursue and demonstrate a threshold level of commitment to establishing new centers.

Program management

What is the status of V.R. moving from the Department of Education to another state agency? What would be the implications of such a move and what changes would occur?

>> **Frank Lloyd:** I can answer the first question affirmatively that we are not moving from the Department of Education to another department, at least not this year. I don't know if there will be any effort next year to move us to another department.

There was some discussion this year about Vocational Rehabilitation being transferred to the Health and Human Services Partnership. There was some concern about that. There were a number of advocacy groups that felt that Vocational Rehabilitation should remain relatively independent. The Department of Education is a good place for that independence to occur.

There are a lot of good reasons why Voc. Rehab. is in the Department of Education. When you look at the national picture, Voc. Rehab. is typically in the Departments of Education around the nation. Additionally, because of our close ties with schools on the transition program where our staff are involved in working with young students, 14 to 18 years of age, it makes a lot of sense for us to be involved with the Department of Education because of those close relationships.

I don't know how to answer the second question, what the ramifications would be, since there is nothing currently underway that would transfer us. We just have to look and see what those proposals might be next year or years after that.

What major changes are expected in each agency this year?

>> **Cathy Anderson:** Developmental Disabilities is part of the Nebraska Partnership Project. We are one of the five agencies that merged into the three agencies. So there are lots of major changes that are expected. I know that I could not go through each one of them. I will tell you I do know some of the initiatives for the services agency this year. And those are the Juvenile Justice Services and Child Welfare. Those two – those services started merging even before January 1st. There's also Behavioral Health redesign for adults, specifically looking at mental health issues and substance abuse issues. There's also in Regulation and Licensure efforts to look at streamlining and elimination of duplication of regulations. So those are some of the major things.

If you would like to get a copy of the Nebraska Partnership Project Plan which really laid out the goals for the reorganization and it also laid out, I believe, it was 18 outcomes that we will be measuring the success of the reorganization against, outcomes for Nebraskans, that would be very helpful. If someone wants a copy of that and don't have it, call in and give their name and address and I will make sure they get a copy of that.

The reorganization is something that will continue. We merged as agencies, and we have new names as of January 1. People have started working in different work groups to work together. For example, I'm in a division that includes not only Developmental Disabilities but staff from what was the Department of Aging and then from the former Department of Public Institutions Developmental Disabilities Services. That's really a group of people who have a lot of things in common who used to have to work against agency lines. Now we're in the same agency working together for the same goals for the various populations that we serve. The reorganization and changes are expected to continue for at least the next three to five years. There are a great number of them. Rollie might have his own version on Health and Human Services reorganization.

>> **Roland Snuttjer:** That was an excellent answer, Cathy. I could say you said it all, I don't need to say any more. I do want to say some more. There are some things in Social Services – Health and Human Services – see, I did that. It has not been six months yet, and I still say Social Services. There are some things in Health and Human Services that we really want to do better. The partnership was designed to do a number of things besides save some taxpayer money, and that was to provide better services to people and to involve communities more, to get more input from the public in planning our services. This is what we will see changing as we go along.

As Cathy said, the total changes will take three to five years because we don't want to leave out any people in any of our populations and hurt anybody along the way. We want to make sure we do things in a very thoughtful manner, and including people from the communities and the client populations is a time consuming process. If you want to do it right, it is a time consuming process.

We have some changes. Welfare reform, for instance, includes Employment First which is a training program. Starting the first of July, I believe, there will be a lot of emphasis on this program. We've got some plans to use fewer Social Service workers for each of our client population and have each person maybe handle more programs and maybe fewer clients which would maybe cut back a little bit on their numbers and make them more accessible. So that is one thing.

We call that more of a seamless system where the services can be obtained from one person rather than contacting two, three, and four sometimes. The particular system I'm working directly in, the Medically Handicapped Children's Program, we are trying to improve and build up the services for children because we believe children deserve good medical care and good standards for medical care. So we're working on that. And as I said, these things take team. We will see that if you track things over time, you will see an awful lot of changes.

>>Frank Lloyd: If the caller would leave his name and mailing address, we can send him a document that will outline all the changes that we are considering for the next five years. Many of those changes will occur in the coming year. I might read some of the categories in which we are looking at changes. Rehabilitation needs for persons with significant disabilities, our strategic plan for the future, the year 2001, employment changes, partnerships in the community, what we intend to have happen with transition services, our initiatives regarding underserved and minority populations. That would include people with mental illness as well as brain injury. The use of the resources within our organization, personnel resources, accountability issues, program, management issues. There's a host of things we are looking at. We would be happy to send this document to this person.

Beyond that, I might mention a couple of general categories that will give the caller an idea of the kind of changes we are thinking about. First of all, one of the things we have recognized in the Vocational Rehabilitation Program is that the traditional time-limited services of the program do not work. They're not effective for a lot of people who experience very severe disabilities. That is why we are changing the time-limited focus of the program to begin earlier with students, beginning as early as 14. We believe that early intervention is a very, very important principle, sustaining that effort with other organizations in the community, so that as they reach adulthood, that person is better prepared to respond to the services we provide.

At the other end of the continuum, we realize that working with a person and following them in employment for 90 days is not effective for a lot of people who experience very severe disabilities. We are making plans to have extended employment warranties that ensure we will be there to provide whatever employment services that person may need for a much longer period of time than 90 days. As a general theme in our program, we are looking at strong partnerships in the community. We realize that even providing the best vocational and best rehabilitation services will not assure that many people with significant disabilities will be able to stay employed.

We think that in order to be more effective in our program that we need to partner with many of the agencies that provide supports and services in the community. We are looking at partnerships with the Urban League in Omaha. We are looking at partnerships with the Housing Authority in Scottsbluff as well as in Omaha. We're looking at partnerships with the mental health systems. We're looking at new ways of expanding employment opportunities. We are looking at economic development kind of activities that will open up more jobs and better paying jobs for people experiencing a significant disability.

There are a whole host of things we are working on all in an effort to take us to the year 2001 in which we plan to more than double the number of people who will be successfully employed through this program. That's what our five-year plan is. This document will help to describe some of the detail with that.

>> Mike Schafer: >> I think probably the biggest change for the Statewide Independent Living Council is their commitment and their initiative to establish a statewide network of Centers for Independent Living. That will be in effect over the next several years.

There are always issues of funding and so we asked for a bill to be introduced during this session which would establish some funding for Centers for Independent Living, create some funding for personal assistance services for people who generally fall through the cracks and ask that the Nurse Practice Act be implemented on a full-time basis as the Sunset Clause was going into effect. Those are really the two biggest potential changes. They're not necessarily within the Statewide Independent Living Council. The legislative bill isn't. The initiative to develop a statewide network of Centers for Independent Living is.

>> Tanya Wendel: We are reviewing the capacity for establishing a western Nebraska office. Even though we may not be successful in getting additional funding for a western Nebraska office, we are reviewing current staffing needs. We are going to make every effort to reach out to the western part of the state through reassignment

perhaps and transfer of personnel. Another area that we address in working with consumer groups is legislation that they feel is necessary and proposing that to the Governor and the senators. We are looking at mental health, developing and changing some of the policies that impact deaf and hard of hearing people, trying to make sure they have access to these services.

We want to ensure that there's qualified interpreters in all settings throughout the state. We're involved in evaluating interpreters. We are hoping to expand that role. We're working quite cooperatively on the Department of Education on that, looking at educational interpreters.

>> Don Anderson: Within the Department of Education, we went through a restructuring activity about three years ago, and I think that that probably has been one of the most significant changes for us in the Department of Education, primarily in the area of special ed. Special ed was always looked at at that time as a separate program, kind of on the side, categorically funded having its own process for designing and developing an educational program for children with disabilities. As a result of their reorganization of the department, that is no longer true.

We spend as much time as we ever have working on cooperative activities within the department like in the area of curriculum. When the curriculum section is working on a curriculum, people from special education are involved in there talking about how people with disabilities are included in that curriculum. When the instructional strategies team meets, people from the special ed office become a part of that team and work on instructional strategies for diverse learners.

That's also true in the area of Voc. Rehab. You heard a lot of the partnerships going on in transition. I think at one point in time or another within the last few months, we probably have worked in a partnership mode with everyone at this table or every agency represented on this table. So I think we're finding we're reaching out much more than we ever have. I was trying to think of an initiative that the special ed office was just working on by ourselves. I don't think there is any at this time.

All our initiatives are influencing and being a part of the bigger picture and partnering with other agencies and other offices within the department and trying to influence those kind of activities. More specifically, over the last few years, there has been legislation in special education primarily focused at funding, but also looking at the program delivery models. One of those a few years ago was LB 742 which established a special ed accountability commission because we were looking at special education growth in the state increasing at about 9-10% rate over the last 10 years. So there were some recommendations by that committee.

Some of those recommendations were picked up in a bill, LB 865, this year. We made some recommendations from the Department of Education allowing a little more flexible funding to try a little more preventive type services. The overall picture what happening, I see special education in the area of funding slowly moving away from a categorical approach to a more inclusive approach to funding but not losing all those protections and protecting a certain part of that money to meet certain kids' needs. We are finding that lines are being blurred when delivering services and keep ourselves in little boxes and try to be as categorical as we have been in the past probably is not the way it should be going.

With the federal legislation, a lot of changes are taking place regarding reauthorization of the Individuals Disabilities Education Act, which, of course, will influence a lot of things that happen at the state level as well as the school district level. What I see us moving away from and not totally losing is a process oriented model. The process that used to be is there would be a referral, then there would be a multidisciplinary team, then there would be an I.E.P. team. The measurement of success was did you follow that educational planning process.

We never looked at the results very closely or what we were accomplishing by following that process. I see a little more focus on evaluation of programs and moving away from did you follow the process. Yes, it is important protecting people's rights and so forth but also looking at results and what did we accomplish as a result of following that process. So I see some pretty major changes, but I see them happening in the next two or three years. I think it's an exciting time. I think it has become very positive for the special ed community to be reaching out and to be accepted in the over all education community. I think in the long term, we're going to feel that it's going to be real beneficial in not only having children access education but accessing quality education for all students.

>> Mark Schultz: I will try to be brief. Probably what is important is not so much what changes are going to be ahead for the Assistive Technology Project itself but one of our goals is to see how much change we can incur in other systems. So I can tell you what we kind of anticipate happening over the course of the next year.

We've been working to try to increase funding that's available for assistive technology. And one of the things that we've done is look at low tech technology such as home modifications. We have worked with the Department of

Economic Development to get them to set aside some money through a program called Making Homes Accessible that will be available statewide outside of the metropolitan areas of Lincoln and Omaha as deferred loans to help people modify their homes. If you would like more information about that, you can contact us at the Assistive Technology Project.

Second, we anticipate a law being passed through the legislature, LB 802, which has been referred to as an assistive technology lemon law, which will require that if you buy a new piece of equipment and it breaks down more than twice in the same year for the same reason and no one knows why and can't seem to fix it, it would require a refund or replacement of that assistive device. We anticipate that happening this year.

We are also looking to hopefully increase some of the services that are going to available across the state. We anticipate in this next year looking at mobile rehab engineering services that would be available statewide to come out on site and do fabrication and repair of assistive technology equipment but also perhaps minor home modifications, those kinds of things.

We are also hoping that we can work with the Department of Education and look at the way that assistive technology is being delivered through the school systems and try to centralize some of those aspects such as the technical assistance and training that is being provided in regards to assistive technology now. We hope we can get some kind of system set up this next year to do that.

Last, I just would like to say we really hope and we're kind of excited about an opportunity for persons with disabilities to be able to shape the future for this next year as well. We are going to be putting out a request for proposals for individuals with disabilities to tell us what they think needs to be changed in terms of a system. So it could be a law that you see as a barrier for assistive technology devices or services or a policy or a rule or regulation. If you can tell us what you need to do to change that, we're going to provide you the opportunity to apply for a grant to actually get funding to carry out the strategy and make that change. So I think it's a really unique opportunity for you to shape the future through those kinds of grants.

Why can't we get specific information regarding the changes of the Nebraska Partnership Project? How will new models for case service coordination affect consumers?

>> Cathy Anderson: I can answer that one. Right now there is a group that had their first meeting last week. It's called the Service Coordination Implementation Work Team. As the caller appears to be aware, there was a service coordination plan that was prepared as part of the Nebraska Partnership Project. That report was out. Now the charge of this work group is to test the assumptions that were made in that plan and by June 1 to have actual work products which include a timeline for implementation. So shortly after June 1, there should be answers to some of those questions regarding service coordination and the changes for individuals.

Service coordination

A client of V.R. who receives A.D.C. says she is being asked by H.H.S. to attend a week job vocational training program in Beatrice. If she's working with V.R., does she have to attend the H.H.S. program?

>> Frank Lloyd: I can't answer that question. We can't require that they attend or not attend. That's not a part of our program. If someone else is requiring that – I would say if they had concerns, have the H.H.S. person and Vocational Rehabilitation staff person get together and discuss it. Is it really necessary? Perhaps it isn't.

Is the H.H.S. jobs program a duplication of those V.R. services and could you explain the H.H.S. job program?

>> Cathy Anderson: As far as the H.H.S. jobs programs go, I would request the person contact the local H.H.S. office. I certainly cannot explain that program to anyone's satisfaction. I think a contact with the local people would be very much in order.

I know of several cases where clients are falling through the cracks, not getting what they need in services. A client of S.V.I., which is Services for the Visually Impaired, who applied for supportive services, a new job, needs supportive services. The person is blind, hearing impaired, and mildly retarded. The D.D.D. and Region V turned her down. It was appealed and is currently in the appeals process. They're finding a way of disqualifying her instead of finding a way to qualify a client. The questions is: how can we prevent persons from slipping through the cracks of agencies of the new Health and Services Department?

>> Cathy Anderson: I'll try to provide some responses. If the person was disqualified and is appealing, that would be the first step for them to appeal if they felt that was an unjust decision. I think that there are – since they could

access services from several systems, that's where service coordination comes into play the person coordinate the services and access whatever system that they can.

The Developmental Disabilities funding right now is categorical so the person does need to meet specific requirements for that. Services for the Visually Impaired have their own requirements as does hearing impaired. If a service coordination person is identified in any one of those systems, that would be their responsibility to work with that individual and their family to coordinate the needed services. That is one of the goals of the reorganization to address those issues where people were caught between systems or the gaps occurred to try to close those as much as possible.

How does an individual find out what each agency's purposes and role is in serving clients?

>> Don Anderson: With the Department of Education, if you either call or write, we can send you the various mission statements and some statutes that relate to what we are required to do and do for providing technical assistance to school districts and parents of children with disabilities. We would get that information from a lot of different sources, but we'd be glad to put that together for you if you would like more information.

>> Roland Snuttjer: I can add to that. Cathy may, too. The Nebraska Department of Health and Human Services has recently become a department since it is four departments and one division of a former department or department. Cathy, for instance, is in the same agency I am now in. We have very definite goals and objectives under the new development of Health and Human Services. If someone would care to write at our 800 number, I could send out information on our services, goals, and objectives. I will give the 800 number as soon as I find it here. 1-800-358-8802.

>> Frank Lloyd: Vocational Rehabilitation would be very interested in sending out information to this caller or any other caller who would like to know about the program. I think the best single source for disability information in the state would be to call the Disability Hotline. There are more than 1,500 resources in that database. It also includes resource outside of the state. That number has been given once or twice this evening. That number is 1-800-742-7594. That's 1-800-742-7594. The hours are between 8:00-5:00 Monday through Friday.

Attachment 4.4: Views on State Policies and Administration of the State Plan

Views Expressed in the Consumer Satisfaction Surveys

Results of the monthly satisfaction surveys including comments are routinely shared with the Rehabilitation Advisory Council. Vocational Rehabilitation considers input from the surveys and the Council concerning survey results in making appropriate changes in policies. Advice and recommendations are sought from the Rehabilitation Advisory Council prior to making any substantial policy changes.

Advice and Recommendations of the Rehabilitation Advisory Council

1. Recommended individuals to serve as hearing officers. Vocational Rehabilitation sent applications to all who were recommended.
2. Recommended that applicants for hearing officers be interviewed jointly by a representative of the RAC and a representative of the agency. Vocational Rehabilitation agreed to this and interviews were held. The RAC and Vocational Rehabilitation jointly agreed on the selection of hearing officers.
3. Recommended that the satisfaction survey cards show clearly that the consumer name was optional. Vocational Rehabilitation agreed to this and amended the cards to the satisfaction of the Council.
4. Recommended that Vocational Rehabilitation staff involve family members in the information exchange to the extent possible. Stressed that family information was valuable for the success of individual rehabilitation. The agency agreed. The *Service Delivery Procedures* used by all staff was revised to clearly stress family involvement. Also, family involvement is now emphasized in the formal new staff training program provided to all new employees.
5. Recommended that Vocational Rehabilitation staff attend RAC meetings to provide information on current activities and issues facing the agency. Vocational Rehabilitation agreed. The Director now reports on current activities at each RAC meeting. In addition other Vocational Rehabilitation personnel have attended meetings to present new issues or ideas.
6. Approved the proposed financial needs test with the following recommendations:
   a. that it allow for disability related expenses to be considered in the computation; and
   b. that the thresholds be set high enough so individuals and families already burdened with no burden is placed on individuals or families who might have a difficult time
7. Vocational Rehabilitation asked the RAC for an opinion on whether the agency should fund Digidrive driving systems. After studying the issue they voted not to recommend that VR provide this service. A committee of consumers, parents, vendors and VR staff was also formed by the Client Assistance Program to study the issue. This committee recommended VR provide the service. After reviewing the requirements in the Act and regulations, and considering input from the RAC and the Service Improvement Committee, Vocational Rehabilitation decided to offer the service.

Attachment 4.6(b): Request for Waiver of Statewideness

Vocational **Rehabilitation** requests a waiver of statewideness to enable it to enter into written cooperative agreements with local public agencies to increase services or expand the scope of services available in one or more political subdivisions of the state, in which the non-Federal share of the cost of these services will be provided by a local public agency, including funds contributed to a local public agency by a private agency, organization, or individual. The services to be provided in one or more political subdivisions of the State are likely to promote the vocational rehabilitation of substantially larger numbers of individuals with disabilities or of individuals with disabilities with particular types of impairments. Local public agencies may include units of municipal or county government, public school districts, community colleges, and other political subdivisions in the state created by statute and governed by elected officials.

Types of services to be provided

The types of services to be provided are identified in each written cooperative agreement. These may include any of the following services as listed in §5.1.a. of this State Plan: (1) assessment for determining eligibility and priority for services; (2) assessment for determining vocational rehabilitation needs; (3) vocational rehabilitation counseling and guidance; (4) referral and other services; (5) physical and mental restoration services; (6) vocational and other training services, including personal and vocational adjustment training, books, tools, and other training materials; (7) maintenance; (8) transportation in connection with the rendering of any vocational rehabilitation service; (9) vocational rehabilitation services to family members; (10) interpreter services for individuals who are deaf and tactile interpreting services for individuals who are deaf-blind; (11) reader services; (12) recruitment and training services to provide new employment opportunities in the fields of rehabilitation, health, welfare, public safety, law enforcement, and other appropriate public service employment; (13) job search and placement assistance and job retention services; (14) supported employment services; (15) personal assistance services; (16) post-employment services; (17) occupational licenses, tools, equipment, initial stocks, and supplies; (18) rehabilitation technology, including vehicular modification, telecommunications, sensory, and other technological aids and devices; (19) transition services; and (20) other goods and services determined necessary for the individual with a disability to achieve an employment outcome.

Written assurance from the local public agency that it will make available to the State unit the non-Federal share of funds

Each written cooperative agreement with a local public agency contains a written assurance from the local public agency that it will make available by transfer to Vocational **Rehabilitation** the non-Federal share of funds.

Written assurance that State unit approval will be obtained for each proposed service before it is put into effect

Each written cooperative agreement with a local public agency contains a written assurance that Vocational **Rehabilitation** approval will be obtained for each proposed service before it is put into effect.

Written assurances that all other State plan requirements, including order of selection requirements, will apply to all services approved under the waiver.

Each written cooperative agreement with a local public agency contains the following written assurances related to State plan requirements: (1) the services to be provided by the cooperating agency are not the customary or typical services provided by that agency but are new services that have a vocational rehabilitation focus or are existing services that have been modified, adapted, expanded, or reconfigured to have a vocational rehabilitation focus; (2) The services provided by the cooperating agency are only available to applicants for, or recipients of, services from Vocational **Rehabilitation**; (3) program expenditures and staff providing services under the cooperative arrangement are under the administrative supervision of Vocational **Rehabilitation**; and (4) the Vocational **Rehabilitation** order of selection, as stated in §6.7 and Attachment 6.7(c)(2) of this State plan, will apply to all services provided under the cooperative program.

Attachment 4.9(b): Plans, Policies and Procedures Regarding the Transition to Vocational Rehabilitation Services of Students with Disabilities

Plans

Plans to facilitate the transition of students who are receiving special education services from the provision of a free appropriate public education under the responsibility of an educational agency to the provision of vocational rehabilitation services under the responsibility of **Vocational Rehabilitation** will focus on these areas–

- Continued cooperation with Special Education, local school districts and Educational Service Units, and **Vocational Rehabilitation** through the Strategic Plan *Transition Partnership Initiative* to develop and implement transition programs and services to students with disabilities.
- Continued cooperation with The Nebraska Alliance for Learning, School to Work Initiative and local STW partnerships to assure the inclusion of students with disabilities in the state's school-to-work system.
- Increasing the awareness of special education, vocational education, counseling, and other school personnel of the potential need for vocational rehabilitation services among students with disabilities.
- Developing cooperative agreements with educational service units and local educational agencies as necessary to develop and improve transition services to students with disabilities, particularly in the areas falling outside local school to work partnerships funded through The Nebraska Alliance for Learning, School to Work Initiative.

Policies

1. While a student with disabilities is enrolled in school, the local district has the primary responsibility under IDEA for the provision of an appropriate free public education, including the planning and coordination of transition services. **Vocational Rehabilitation** construes its role as one of supplementing but not supplanting these local school based transition activities, to assure they are designed to achieve long-term integrated employment, independent living, and community participation outcomes. This role primarily involves sharing the expertise of **Vocational Rehabilitation** with school personnel, particularly in the areas of functional vocational evaluation, development of employment objectives, and acquisition of daily living skills, as they work with individual students with disabilities.
2. As students with disabilities near the point of exiting from the school, and it can be reasonably determined that post-school services from **Vocational Rehabilitation** will be required to enable them to achieve an employment outcome, the responsibilities of **Vocational Rehabilitation** expand to include determinations of eligibility and priority under the Order of Selection, development of an individualized written rehabilitation program, and linkage to appropriate community service providers. The goal is that, at the point of exit from school, all eligible students who can be served under the Order of Selection will have an agreed on rehabilitation plan and be linked to the appropriate adult service provider to initiate the plan. This process should be seamless from the point of view of eligible students with disabilities and their families.
3. Once a student with a disability exits the school, the school's responsibility ceases. If the student is eligible, and meets Order of Selection criteria, **Vocational Rehabilitation** becomes the responsible agency. In this situation, services are planned and provided in accordance with the person's individualized written rehabilitation program. To facilitate coordination with the schools, and to promote the seamless delivery of services to eligible individuals, plans may be developed and initiated prior to the point of exit from the school if services will result in achieving the agreed on employment objective. For example, if a job placement that will result in permanent employment in the employment objective is obtained while the student is still in school, **Vocational Rehabilitation** may provide the needed on-the-job training or intensive job coaching services.

Procedures

1. The general method employed to participate in school to work transition involves cooperation and consultation between designated **Vocational Rehabilitation** staff members serving the local school and personnel within the school.
2. Since disability may delay or impair career development, the design of activities to promote movement from school to post-school activities must be carefully tailored to respond to the unique circumstances of each individual. In particular, activities must be designed to avoid failure or the appearance of failure for the

student with disabilities, since this may have a devastating impact on long-term career development and career maturity. Although the identification of a long-term career goal by the time a student exits school is desirable, this may not be possible or desirable in individual cases. Post-school structured work experiences, coupled with on-going career counseling, may be necessary to develop the level of career maturity needed to make sound informed decisions about long-term employment goals and rehabilitation objectives.

3. Development of independent living goals and objectives is an integral part of transition activity. For students with disabilities in the rural Central and Western parts of Nebraska, which lack diverse employment opportunities, relocation to labor markets within the state offering employment opportunities consistent with the person's capacities and abilities is often necessary, but is contingent on the ability to live independently. Vocational Rehabilitation staff share their expertise in the assessment and development of independent living skills with school personnel, and assist in the development of plans and services to address these skills as part of the overall planning process for students with disabilities. If the school provides independent living training as part of its transition curriculum, these educational services can be used to meet the need. Alternatively, independent living training services may be obtained from a Center for Independent Living, if one is available to serve the student, or a Vocational Rehabilitation independent living specialist when the needed services are not available from the school or a Center for Independent Living.

4. In general, the school is responsible for the provision of a free and appropriate public education, as defined by the IEP, including transition services that are included in the IEP. Vocational Rehabilitation encourages, as a best practice to plan the provision of appropriate transition services, participation of its staff in coordination meeting and IEP meetings in which transition services are planned or progress in the services reviewed.

Outreach and identification of students with disabilities not receiving special education services

Vocational Rehabilitation outreach is broadly targeted to all students with disabilities who may be eligible for vocational rehabilitation services and who can be served under the Order of Selection, regardless of whether they are receiving special education services. Any student with disabilities can access vocational rehabilitation services. Those not receiving special education services include:

- students with physical disabilities whose needs are met through ADA and §504 accommodations, and who do not require special education services under an IEP, and
- students with disabilities who have dropped out of school prior to graduation.

To outreach to students with physical disabilities, Vocational Rehabilitation encourages its staff, as a best practice, to include school nurses and guidance counselors in their outreach and identification efforts, since these school personnel often have knowledge of these students.

To outreach to students with disabilities who have dropped out of school prior to graduation, Vocational Rehabilitation encourages its staff, as a best practice, to include guidance counselors and school personnel working with at risk students in their outreach and identification efforts, since these school personnel often have knowledge of these students.

Attachment 4.11(b): Procedures and Activities Regarding the Establishment and Maintenance of a Comprehensive System of Personnel Development

This attachment describes the comprehensive system of personnel development. The Rehabilitation Advisory Council has had an opportunity to review and comment on the development of plans, policies, and procedures necessary to meet the requirements of 34 CFR 361.18(b), (c), (d), and (f).

Data systems on personnel and personnel development

Vocational **Rehab**ilitation maintains a system for collecting and analyzing data on qualified personnel needs which includes: the number of personnel currently employed by Vocational **Rehab**ilitation, by personnel category; the number of positions currently available to Vocational **Rehab**ilitation, by personnel category; and projections of the number of personnel who will be needed in 5 years, by personnel category.

There are no institutions of higher education in Nebraska preparing vocational rehabilitation professionals in the disciplines designated in the Rehabilitation Act (29 USC 771(b)(1)(B)). Consequently, there is no need for a data system on personnel development.

Plan for recruitment, preparation, and retention of qualified personnel

Vocational **Rehab**ilitation employs two classes of personnel in the provision of vocational rehabilitation services: specialists and associates. There is a projected need to replace an average of 8 staff annually in each class due to resignations and retirements over the next 5 years. No new hires through growth are anticipated. The plan to address recruitment, preparation and retention needs is:

1. Active recruitment of qualified personnel through continuing relationships with rehabilitation education programs in other states, coupled with intense recruitment of qualified personnel with disabilities and those from racial and ethnic minority backgrounds through active recruitment at institutions of higher education specializing in training these persons, continuing relationships with disability and racial and ethnic minority organizations, and advertising targeted to the disability and racial and ethnic minority communities.
2. Intensive training of new specialist and associate staff members in basic vocational rehabilitation values, principles, and practices during their initial probationary period.
3. Continuing education of all staff members in advanced and new vocational rehabilitation knowledges, skills, and abilities to enhance job performance and improve job retention.

Personnel standards

In 1983, Vocational **Rehab**ilitation established the academic degree standard of a master's degree in counseling or a closely related field for all specialist staff. This standard is consistent with the highest entry level academic degree needed for certification as a "Professional Counselor" under Nebraska's Uniform Licensing Act (see Neb.Rev.Stat. §71-1,269). The Uniform Licensing Act exempts employees of state agencies from coverage. There are no national or state-approved or -recognized standards applicable to associate staff. The highest entry-level academic degree required for comparable work in State personnel requirements is the high school diploma.

Staff development

Vocational **Rehab**ilitation has a system of staff development to ensure all personnel receive appropriate and adequate training related to the ability to provide vocational rehabilitation services leading to employment outcomes for persons with significant disabilties. This system includes–

1. A formal training program for all new specialist and associate staff hired by Vocational **Rehab**ilitation.
2. Workshops and seminars, with content related to strategic, organizational, team, and individual training needs including, but not limited to, training on: the ADA, IDEA, SSA work incentives, informed choice, cultural diversity, rehabilitation technology training for all staff and specialized rehabilitation technology training for Independent Living Specialists (as described in Attachment 5.1(b): Rehabilitation Technology Services), and the Rehabilitation Act Amendments of 1992.
3. Concentrated team and individual staff development activities designed to improve capacities to work with specific groups of persons with significant disabilties (particularly those groups which have been underserved), and to acquire knowledge and skill related to improving employment outcomes.

4. Acquisition and dissemination of significant knowledge from research and other sources.

Personnel to address communication needs

Vocational **Rehabilitation**, to the maximum extent possible, recruits and hires qualified personnel who are able to communicate in the native languages of applicants and recipients with limited English speaking ability. Interpreter services for persons with limited English speaking ability are obtained from agencies, ethnic organizations and advocacy groups, or individuals (family members, friends, volunteers). Coworkers may be used in employment settings where the person will have a continuing need for interpreting. The AT&T Language Line is used as a backup service for walk-ins or crisis situations where no interpreter is available and there is an immediate need to communicate with person with limited English speaking ability.

Vocational **Rehabilitation** employs specialist and associates with sign language skills in areas where there are significant concentrations of persons with hearing impairments who communicate in sign language. In other areas, interpreter services for the hearing impaired are obtained from qualified independent contractors. The Nebraska Department of Education has established and maintains written standards and policies on interpreter services, which are followed by Vocational **Rehabilitation**.

Performance evaluation system

The system for evaluating the performance of personnel used by Vocational **Rehabilitation** in the direct provision of services facilitates, and in no way impedes, the accomplishment of the purpose and policy of the vocational rehabilitation program as described in 29 USC 720(a)(2) and 29 USC 720(a)(3), including the policy of serving individuals with the most severe disabilities.

Direct service personnel (specialists and associates) function as self-directed teams within local offices under the supervision of an office director. Their performance is evaluated on two dimensions: (1) contribution to the team and (2) competence in performing assigned duties. Office directors are responsible and accountable for achieving key results, as measured on four dimensions: (1) outcomes achieved, (2) customer satisfaction, (3) resource utilization, and (4) equity. These measures are obtained only at the office level, and do not extend downward to individual employees.

Coordination of personnel development with personnel development under the Individuals with Disabilities Education Act.

Vocational **Rehabilitation** coordinates with the Comprehensive System of Personnel Development under the Individuals with Disabilities Education Act (IDEA) by: (1) exchanging needs assessment findings in areas or topics of mutual concern, (2) exchanging schedules of training and personnel development activities, and (3) joint development of training programs of mutual concern and priority, and joint funding of trainer costs for conducting joint training, when appropriate.

Attachment 4.12(d): Policy, State Plan and Strategic Plan Changes; Methods to Expand and Improve Services to Individuals with the Most Severe Disabilities; Analysis of the Characteristics of Individuals Determined to be Ineligible and the Reasons for Those Determinations

Changes adopted in policy, State plan, and strategic plan as a result of the statewide studies and the annual program evaluation

During FY 1997, there were no changes adopted in policy, State plan, and strategic plan as a result of the statewide studies and the annual program evaluation.

Methods to expand and improve vocational rehabilitation services to individuals with the most severe disabilities, including Vocational Rehabilitation's criteria for determining which individuals are individuals with the most severe disabilities

Vocational **Rehabilitation** expands and improve vocational rehabilitation services to individuals with the most severe disabilities by promoting adoption of efficient and effective methods to provide vocational rehabilitation services to individuals with the most severe disabilities. Methods include, but are not limited to: dissemination of research findings through the VR newsletter and website; staff education and training; internal demonstration projects; cooperative agreements with public agencies for expansion and improvement of services; competitive grants to public and private non-profit community rehabilitation programs for establishment, development, or improvement of services promoting integration and competitive employment; and competitive grants and contracts using the Strategic Plan set-aside for programs, projects, and activities related to 34 CFR 361.73(b).

Vocational **Rehabilitation** continually reviews a broad variety of information sources including, but not limited to, findings of rehabilitation research funded by the Rehabilitation Services Administration, Office of Special Education Programs, and National Institute for Disability and Rehabilitation Research; research reported in the rehabilitation and disability literature; and studies conducted by Vocational **Rehabilitation**. The purpose of these reviews are to identify efficient and effective methods to provide, expand, and improve vocational rehabilitation services to individuals with the most severe disabilities, including those requiring supported employment services.

Vocational **Rehabilitation** uses the following criteria for determining individuals with the most severe disabilities: *An "individual with a most severe disability" is an individual with a disability who —*

1. *has a severe physical or mental disability or combination of disabilities determined on the basis of an assessment of eligibility and rehabilitation needs to seriously limit two or more functional capacities (communication, interpersonal skills, mobility, self care, self direction, work skills, or work tolerance) in terms of an employment outcome; and*
2. *whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time.*

Analysis of the reasons for and characteristics of individuals determined to be ineligible for services.

Reasons for ineligibility determinations

The table shows the reasons for ineligibility determinations in FY 1996.

Reason for ineligibility determination	PerCent
No physical or mental impairment	20%
No impediment to employment	26%
Unable to achieve employment outcome	54%
Total	100%

Characteristics

The table summarizes key demographic characteristics (in percent) of individuals determined to be ineligible for services in FY 1996, for the reasons shown.

Characteristic		No physical or mental impairment	No impediment to employment	Unable to achieve an employment outcome
Sex	Male	53	63	65
	Female	47	37	35
Age	<24	44	39	3
	25-44	39	52	61
	>45	17	9	36
Race	White	97	93	84
	African-American	3	7	12
	American Indian	0	0	3
	Asian	0	0	0
Hispanic Origin		6	7	3
Disability	Hearing	0	2	0
	Musculo-skeletal	0	20	33
	Mental illness	0	7	24
	Addictive disorder	0	7	1
	Emotional disorder	0	4	0
	Mental retardation	3	2	17
	Learning disability	0	11	3
	Brain injury	0	0	0
	Other	3	7	0
	None/Unknown	94	39	8
Employed at application		28	11	8
Public assistance recipient		11	22	48

Attachment 4.15: Due Process Procedures

Rule 71: Procedures for Formal Review of Vocational Rehabilitation Determinations (Title 92, Nebraska Administrative Code, Chapter 71) contains Vocational **Rehab**ilitation's established due process procedures. These ensure applicants or eligible individuals who are dissatisfied with determinations concerning the furnishing or denial of services receive the due process rights to which they are entitled under the Rehabilitation Act of 1973 (29 USC 722(d)), Regulations for the State Vocational Rehabilitation Services Program (34 CFR 361.57), and the Nebraska Administrative Procedures Act. In the following due process description, references to the involved individual are to be construed to include the individual's representative, if appropriate.

(1) Any applicant or eligible individual who is dissatisfied with any determinations made by an authorized Vocational **Rehab**ilitation staff member concerning the furnishing or denial of services may file a petition with the Director for a timely review of those determinations. Vocational **Rehab**ilitation informs all applicants and eligible individuals of their right to review, through appropriate modes of communication, including the names and addresses of individuals with whom appeals may be filed, and the manner of selecting an impartial hearing officer.

(2) The Director sets a hearing date so that a hearing by an impartial hearing officer will be held within 45 days of an individual's request for review, unless informal resolution is achieved prior to the 45th day or the parties agree to a specific extension of time.

(3) The Director selects a hearing officer, either on a random basis or by agreement between the Director and the individual, from among the pool of persons qualified to be impartial hearing officers (as defined in 34 CFR 361.5(b)(22)), who are identified jointly by Vocational **Rehab**ilitation and those members of the State Rehabilitation Advisory Council designated in 29 USC 722(d)(2)(C)(ii)(I).

(4) Vocational **Rehab**ilitation may not suspend, reduce, or terminate services being provided pending a final determination of the formal hearing or informal resolution, unless the individual so requests or VR has evidence the services have been obtained through misrepresentation, fraud, collusion, or criminal conduct.

(5) The impartial hearing officer affords the individual an opportunity to present additional evidence, information, and witnesses to the impartial hearing officer, to be represented by counsel or other appropriate advocate, and to examine all witnesses and other relevant sources of information and evidence.

(6) The impartial hearing officer makes a decision, based on the provisions of the approved State Plan, the Act, Federal vocational rehabilitation regulations, and State regulations and policies consistent with Federal requirements, and provides to the individual and to the Director a full written report of the findings and grounds for the decision within 30 days of the completion of the hearing.

(7) The Director may decide to review the impartial hearing officer's decision, after taking into consideration the decision in relation to provisions of the approved State plan, the Act, Federal vocational rehabilitation regulations, or State regulations or policies consistent with Federal requirements bearing on the matter in dispute. If the Director decides to review the decision, he or she notifies in writing the individual of this intent within 20 days of the mailing of the impartial hearing officer's decision. If the Director fails to provide this notice, the impartial hearing officer's decision becomes a final decision.

(8) If the Director decides to review the decision of the impartial hearing officer, the Director provides the individual an opportunity to submit additional evidence and information relevant to the final decision.

(9) The Director makes a final decision within 30 days of providing notice of intent to review the decision, and provides a full report in writing of the decision, including the findings and the statutory, regulatory, or policy grounds for the decision, to the individual. The Director may not overturn or modify a decision, or part of a decision, of an impartial hearing officer supporting the position of the individual unless the Director concludes, based on clear and convincing evidence, that the decision of the impartial hearing officer is clearly erroneous because it is contrary to the approved State plan, the Act, Federal vocational rehabilitation regulations, or State regulations or policies consistent with Federal requirements. The Director may not delegate this responsibility to make a final decision to any other officer or employee of Vocational **Rehab**ilitation.

Attachment 5.1(b): Rehabilitation Technology Services

Manner of providing a broad range of rehabilitation technology services at each stage of the rehabilitation process and on a statewide basis

As the administering agent for one of the first state system change grants under the Technology-Related Assistance for Persons with Disabilities Act, **Vocational Rehabilitation** has continuing long-standing involvement with the provision of a broad range of rehabilitation technology services at each stage of the rehabilitation process. In cooperation with the Nebraska Assistive Technology Project, **Vocational Rehabilitation** has also advocated for the provision of rehabilitation technology services outside the traditional parameters of the rehabilitation process, including early provision by local schools and long-term provision through various state and Federally funded programs.

Independent living specialists, with training and experience in all phases of rehabilitation technology (rehabilitation engineering, assistive technology devices, and assistive technology services), are available in each local office, thus ensuring the availability of rehabilitation technology services throughout the state. The independent living specialists provide assessment, consultation, and direct services to meet the needs of individuals with severe disabilities to overcome the barriers they confront in a variety of home, transportation, educational, and employment settings. In addition, an ergonomic specialist is available on a statewide basis.

Training provided to vocational rehabilitation, client assistance, and other related services personnel on the provision of rehabilitation technology services

Vocational Rehabilitation maintains an on-going program for training vocational rehabilitation, client assistance, and other related services personnel on the provision of rehabilitation technology services. All newly hired vocational rehabilitation specialists and associates receive initial training in the provision of rehabilitation technology services as part of the formal New Staff Training Program.

Vocational Rehabilitation sub-grants to the Nebraska Assistive Technology Project to develop and conduct rehabilitation technology training responsive to the needs of VR staff. At least one training program annually is conducted for all VR staff.

Independent living specialists are provided with at least one training program annually responsive to their advanced training needs in the area of rehabilitation technology. Additionally, individual IL specialists are provided with other training opportunities as these become available at the state, regional, or national levels.

All rehabilitation technology training is made available to client assistance personnel, and to staff of programs with cooperative agreements with **Vocational Rehabilitation**, on a space available basis.

Manner of providing assistive technology devices and services, or making worksite assessments, as part of the assessment to determine the eligibility and vocational rehabilitation needs of individuals

Community worksite assessments have replaced paper and pencil testing, work sample assessments, and workshop based situational assessments as the preferred assessment method to determine the eligibility and vocational rehabilitation needs of individuals with severe and most severe disabilities. Assistive technology devices and services may be provided, as necessary to meet individual needs, during these assessments.

The Nebraska Assistive Technology Project has established demonstration sites throughout the state which make assistive technology devices available for try-out. **Vocational Rehabilitation**'s demonstration sites in Omaha, Lincoln, and Hastings have assistive technology devices appropriate for use in common occupations found in the Nebraska labor market. The results of initial assessments using try-out and loaned devices are used in the development of individualized written rehabilitation programs.

Attachment 5.1(c): Personal Assistance Services

Vocational Rehabilitation has developed procedures for the provision of on-the-job and other related personal assistance services to persons with disabilities while they are receiving vocational rehabilitation services. An assessment of personal assistance and independent living needs is conducted at the time of application. This covers the person's ability to independently perform essential everyday activities in the areas of home management, personal finances, child care, transportation, mobility, and self care. This assessment indicates applicant needs for personal assistance services.

In general, when an eligible person identifies an inability to perform essential self care and independent activities of daily living functions, a more detailed assessment by an Independent Living Specialist is completed as part of the comprehensive assessment of vocational rehabilitation needs. This assessment identifies services necessary to increase the person's control in life and ability to perform everyday activities. It includes consideration of the provision of rehabilitation technology and/or independent living skills training to deal with the inability to perform everyday activities. The results of this assessment are considered in joint development of the individual written rehabilitation program. As necessary, rehabilitation technology is provided or purchased, and needed training procured either from a Vocational Rehabilitation Independent Living Specialist or by arrangement or purchase from a Center for Independent Living.

In some cases, an individual may be needed to perform everyday activities the individual with a disability otherwise cannot perform. In these cases, Vocational Rehabilitation assists the individual with a disability in identifying a person or agency to provide the needed services, and, if necessary when comparable services and benefits for this service are not available, may provide financial assistance for the purchase of these services.

Attachment 5.3: Policies and Procedures Relating to Choice

Vocational **Rehab**ilitation, in consultation with its Rehabilitation Advisory Council, has written policies and procedures on the exercise of informed choice by eligible individuals with regard to the selection of a long-term vocational goal, intermediate rehabilitation objectives, vocational rehabilitation services, and service providers.

Policies

1. *Informed choice* is the result of a rational, systematic decision making process, characterized by–
   - identification of available alternatives or options
   - identification of the consequences (both favorable and unfavorable) of pursuing each alternative or option
   - selecting an alternative or option after weighing and deliberating each one and its consequences in terms of a scale of values
   - commitment and action to pursue the selected alternative or option
2. *Informed choice* occurs in the context of a joint planning relationship, between the individual and a **Vocational Rehab**ilitation staff member, which is free from duress and coercion. Both the individual and the **Vocational Rehab**ilitation staff member share the mutual responsibility to assure their decisions and choices regarding employment outcomes, rehabilitation objectives, services, and service providers are reasonable.
3. *Reasonable*, in relation to the selection of employment outcomes, rehabilitation objectives, services, and service providers, means the individuals concerned act with prudence in the circumstances considering their responsibilities to **Vocational Rehab**ilitation, the public at large, and the Federal Government. Goals, objectives, services, and costs are reasonable if, in their nature and amount, they do not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to engage in the activity or incur the cost. In determining reasonableness of a given activity or cost, consideration should be given to:
   a. Whether the goal, objective, service, or cost is of a type generally recognized as ordinary and necessary to enable an individual in comparable circumstances to achieve or engage in an employment outcome.
   b. Whether the goal, objective, service, or cost is consistent with the strengths, resources, priorities, concerns, abilities and capabilities of the individual.
   c. The restraints or requirements imposed by such factors as: sound business practices; arms length bargaining; and Federal, State, or local laws and regulations.
   d. Market prices for comparable goods or services.
   e. Whether the individuals concerned, in making their decisions and choices, are practical, sensible, just, fair, cautious, thrifty, show foresight, and avoid obvious mistakes.

General Procedures

1. The primary functions of responsible **Vocational Rehab**ilitation staff members are to–
   - ➤ provide a decision-making context free of duress and coercion,
   - ➤ provide each individual, through appropriate modes of communication, information on the–
     - availability and scope of informed choice;
     - manner in which informed choice can be exercised; and
     - availability of support services if the individual requires assistance in exercising informed choice;
   - ➤ jointly participate in information gathering, in the context of a planning relationship, to assure the person possesses or acquires an adequate and sufficient knowledge of self, the world of work, available employment opportunities, and available community resources, services, and supports on which to base an informed decision,
   - ➤ jointly participate in decision making, in the context of a planning relationship, to assure the individual makes informed choices of an employment goal, rehabilitation objectives, and services required through a rational decision making process, and
   - ➤ agree to necessary, reasonable, and prudent informed choices of an employment goal, rehabilitation objectives, and services required.

3. To assist persons with disabilities to make informed choices of an employment goal, rehabilitation objectives, and services required, and particularly in providing information bearing on these choices, Vocational **Rehab**ilitation staff members are expected to provide appropriate disability and age related supports and accommodations particularly to assist persons whose disabilities impair their cognitive functioning and youth whose disabilities impair or delay their career development. Possible supports and accommodations may include, but are not limited to–
   - ➤ gaining full participation of parents, spouses, family members, guardians, advocates, or other authorized individual representatives in all aspects of the decision making process,
   - ➤ providing information in alternative formats appropriate to the person's modes of effective communication, such as reduced reading levels or the use of visual or pictorial formats,
   - ➤ providing experiential opportunities to obtain information, such as site visits to potential employers or providers of services, job shadowing, and on the job tryouts, and
   - ➤ providing learning opportunities for career development, such as structured learning activities and structured work experience.
4. To assure each person uses a rational decision making process, relating self knowledge, knowledge of the world of work, and knowledge of available services and supports within the framework of individual values, priorities, and concerns, Vocational **Rehab**ilitation staff members are responsible for directly providing counseling and related assistance necessary for the person to make informed choices of an employment goal, rehabilitation objectives, and services.

   If the person's choices are not reasonable or not the result of a rational decision making process, Vocational **Rehab**ilitation staff members are expected not to agree to them, to provide the rational basis for the disagreement to the person, and to take the corrective actions necessary to resolve the disagreement. Corrective actions may include negotiation, mediation, and, as a last resort, the impartial review procedure.

Procedures related to choice of employment outcomes

1. To assure each person possesses adequate self knowledge of individual strengths, resources, career interests, abilities, and capabilities, Vocational **Rehab**ilitation staff members may provide directly or obtain assessments of personality, interest, interpersonal skills, intelligence, functional capacities, educational achievements, work experience, vocational attitudes, personal and social adjustments, and medical, psychological, or psychiatric factors bearing on employment. When necessary, work site assessments may be used to appraise the person's patterns of work behavior, work attitudes, work habits, work tolerance, and services needed for the person to acquire occupational skills. Rehabilitation technology may also be provided to assess the capacities of the person to perform in a work environment. These assessments and appraisals should be provided within the context of a planning relationship to improve the person's self knowledge as this bears on making informed choices of an employment goal, rehabilitation objectives, and services.
2. To assure each person possesses adequate knowledge of the world of work, the employment opportunities available to him or her in the local labor market or a labor market to which he or she is willing to relocate, and the essential qualifications and functions required to enter, maintain, and advance in these opportunities, Vocational **Rehab**ilitation staff members may provide directly, or assist the individual in acquiring, current information about employment opportunities and their requirements from print and computer based occupational information resources, such as the Nebraska Career Information System and the Nebraska SOICC. Experiential opportunities to acquire knowledge of the world of work may be provided directly or obtained, including opportunities to explore work samples of occupations, job shadowing, guided work experience, situational assessments from community rehabilitation programs, and work site assessments from community employers. This information should be provided within the context of a planning relationship to improve the person's knowledge of the world of work as this bears on making informed choices of an employment goal, rehabilitation objectives, and services.

Procedures related to choice of services and service providers

1. To assure each person possesses adequate knowledge of resources, services, and supports needed to achieve the employment goal and available to him or her in his or her community or a community to which he or she is willing to relocate, Vocational **Rehab**ilitation staff members may provide directly, or assist the individual in

acquiring, current information about available community resources, services, and supports, including the services and supports available through **Vocational Rehabilitation**.

2. In providing information about the services and supports available through **Vocational Rehab**ilitation, either directly by staff or by procurement from other entities, staff members should provide information concerning–
   - ➤ the nature, scope, cost, accessibility, and duration of potential services and supports,
   - ➤ qualifications of potential service providers,
   - ➤ types of services offered by those providers,
   - ➤ level of consumer satisfaction with those services to the extent that such information is available,
   - ➤ degree to which services are provided in integrated settings,
   - ➤ the **Vocational Rehabilitation** conditions and criteria for providing each service and support, including–
     - standards governing community rehabilitation programs and qualified personnel used for the provision of vocational rehabilitation services,
     - standards for the procurement of goods, including price quotation and low bidder requirements; and
     - limitations on the cost or extent of **Vocational Rehab**ilitation financial assistance with the cost of particular goods and services.
3. In providing, or assisting the individual in acquiring, the information required, **Voc**ational **Rehab**ilitation staff may use, but are not limited to, the following methods or sources of information–
   - ➤ State or regional lists of services and service providers.
   - ➤ Periodic consumer satisfaction surveys and reports.
   - ➤ Referrals to other consumers, local consumer groups, or disability advisory councils qualified to discuss the services or service providers.
   - ➤ Relevant accreditation, certification, or other information relating to the qualifications of service providers.

Attachment 5.5(b): Need to Establish, Develop, or Improve Community Rehabilitation Programs

Section 5.5(a)(1) of the State plan provides for the establishment, development, or improvement of public or non-profit community rehabilitation programs. **Vocational Rehabilitation** has established written procedures for the award of competitive grants to establish, develop, or improve, as appropriate, a community rehabilitation program to provide vocational rehabilitation services that promote integration and competitive employment to applicants or eligible individuals. These grants are made in response to a Request for Proposals, based on findings from the assessment of the capacity and effectiveness of community rehabilitation programs, including programs under the Javits-Wagner-O'Day Act, resulting from the use of those programs and on the plans of **Vocational Rehabilitation** to improve community rehabilitation programs. Attachment 6.4 summarizes the needs to improve community rehabilitation programs, while the ***Strategic Plan*** contains our long-term plans for overall improvement of vocational rehabilitation services, including those from private, for profit providers, that promote integration and competitive employment.

Plans for establishing, developing, or improving community rehabilitation programs are:

1. Increase specialized capacity of community rehabilitation programs to serve persons significantly disabled by serious mental illness and those disabled by brain injuries.
2. Increase capabilities of community rehabilitation programs to provide services in integrated settings typically found in the community.

Attachment 6.4: Utilization of Community Rehabilitation Programs

Methods to ensure the appropriate use of community rehabilitation programs

Vocational Rehabilitation uses community rehabilitation programs to the maximum extent feasible to provide vocational rehabilitation services in the most integrated settings possible, consistent with the informed choices of individuals with disabilities. Decisions to use vocational rehabilitation services provided by community rehabilitation programs are jointly made on an individual basis, considering such factors as: the person's career and short-term employment goals, his or her vocational rehabilitation service needs in relation to these goals, the availability of services responsive to those needs from community rehabilitation programs, the degree of integration present in these available programs and services, and the individual's informed choices.

Agreements with the operators of community rehabilitation programs

Vocational Rehabilitation enters into formal written agreements with the operators of community rehabilitation programs for the provision of vocational rehabilitation services. We use three types of agreements: *Case Service Agreements* with private, for profit vocational rehabilitation service providers; *Purchase of Service Agreements* with private nonprofit vocational rehabilitation service providers; and *Cooperative Agreements* with public or private nonprofit vocational rehabilitation service providers involving funds from other public agencies. In all agreements, the operators of community rehabilitation programs must assure they meet the standards for facilities and providers of services in 34 CFR 361.51, including the personnel standards in 34 CFR 361.51(b).

Establishment of agreements with private nonprofit vocational rehabilitation service providers

Vocational Rehabilitation has written procedures for establishing written agreements with private nonprofit vocational rehabilitation service providers, as well as other types of service providers. These procedures emphasize the role of local VR offices in identifying needs for specific vocational rehabilitation services responsive to the needs of persons with severe disabilities in their areas. They also emphasize the role of local VR and community rehabilitation staff in monitoring the agreements, including utilization and effectiveness of services.

Findings of assessment of the capacity and effectiveness of community rehabilitation programs, including programs under the Javits-Wagner-O'Day Act, based on the use of those programs

An assessment of the capacity and effectiveness of community rehabilitation programs, conducted in December 1996, showed that persons served by private, for profit providers typically achieve employment outcomes in less time and at less cost than those served by public or private non-profit providers. Additionally, private, for profit providers are available in more locations throughout the state, particularly in the less densely populated areas. No significant delays in obtaining services from community rehabilitation programs have been encountered. However, local VR offices have identified a need to develop or increase specialized capacity to serve persons significantly disabled by serious mental illness and those disabled by brain injuries,

Several community rehabilitation programs are making use of the Javits-Wagner-O'Day Program (JWOD) to provide persons with severe disabilities with well-paid, meaningful employment producing services under contract to the Federal government. The JWOD contract at Offut Air Force Base, administered by Black Hills Training Center, employs over 70 persons with severe disabilities, with average earnings of $9,500 and health insurance. Other JWOD service contracts are located in Omaha and Lincoln. JWOD service contracts provide integrated competitive employment.

Plans for improving community rehabilitation programs based on the assessment

1. Increase specialized capacity of community rehabilitation programs to serve persons significantly disabled by serious mental illness and those disabled by brain injuries.
2. Increase capabilities of community rehabilitation programs to provide services in integrated settings typically found in the community.

Attachment 6.7(c)(2): Order of Selection; Justification; and Outcome and Service Goals, Timeframes and Service Costs

Order of selection

Individuals who have a determination of eligibility or priority within the Order of Selection made during the fiscal year will be selected for the provision of planned vocational rehabilitation services in the following order, to the extent it is determined the personnel and fiscal resources necessary to carry out their Individualized Written Rehabilitation Programs are available for them.

Priority category one

All eligible persons who are determined, on the basis of an assessment of eligibility and rehabilitation needs, to be "individuals with the most severe disabilities" in accordance with the definition stated below.

Priority category two

All eligible persons who are determined, on the basis of an assessment of eligibility and rehabilitation needs, to be individuals with severe disabilities in accordance with the definition stated below.

Priority category three

All other persons who are determined, on the basis of an assessment of eligibility and rehabilitation needs, to be individuals with disabilities in accordance with the definition stated below.

Definitions

These definitions apply to the Order of Selection.

1. *Individual with a disability* means a person who has a physical or mental impairment which, for the person, constitutes or results in a substantial impediment to employment; can benefit in terms of an employment outcome from the provision of vocational rehabilitation services; and requires vocational rehabilitation services to prepare for, enter, engage in, or retain gainful employment.
2. *Individual with a severe disability* means a person who is an "individual with a disability" (as defined above) who has been determined, on the basis of an assessment of eligibility and rehabilitation needs to have a severe physical or mental disability or combination of disabilities that seriously limits one or more functional capacities (communication, interpersonal skills, mobility, self care, self direction, work skills, or work tolerance) in terms of an employment outcome; and whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time.
3. *Individual with a most severe disability* means a person with a severe disability (as defined above) who has been determined, on the basis of an assessment of eligibility and rehabilitation needs, to be seriously limited in terms of an employment outcome in *two or more* functional capacities (communication, interpersonal skills, mobility, self care, self direction, work skills, or work tolerance), or has been determined by the Social Security Administration to be eligible for Social Security Disability (SSDI) or Supplemental Security Income (SSI) benefits on the basis of disability; or has been determined by an appropriate public official to meet the criteria established by the Nebraska Department of Health & Human Services, Developmental Disabilities for a person with a developmental disability; or has been determined by an appropriate public official to meet the criteria established by the Nebraska Department of Health & Human Services, Mental Health for a person with a severe and persistent mental illness.

Justification of the Order of Selection

1. *Priority category one.* The Rehabilitation Act requires persons with the most severe disabilities receive services before other eligible persons.
2. *Priority category two.* This priority group provides a priority to all persons with severe disabilities and is consistent with the intent of the Rehabilitation Act to focus services on persons with severe disabilities.
3. *Priority category three.* This priority group contains all other eligible persons.

Outcome, service goals, and service costs for FY 1998

Outcome Goals, Service Goals, and Service Costs
for Applicants Determined Eligible between
October 1, 1997 and September 30, 1998

Recipient Priority	Served	Rehabilitated	Cost ($K)*
Priority category 1	2,208	442	$4,097
Priority category 2	456	92	$851
Priority category 3	0	0	0
TOTAL	2,664	534	$4,948

* In thousands, not including costs of assessment services.
This table assumes no significant changes in current referral patterns, service mix, or cost of services.

Attachment 6.12(c)(2): Services Subject to Financial Needs Test

Vocational Rehabilitation has a financial needs test which is applied to the following services:

(1) physical and mental restoration services;

(2) training services in institutions of higher education;

(3) maintenance;

(4) transportation in connection with the rendering of any vocational rehabilitation service;

(5) vocational rehabilitation services to family members of an applicant or eligible individual if necessary to enable the applicant or eligible individual to achieve an employment outcome;

(6) occupational licenses, tools, equipment, initial stocks, and supplies;

(7) rehabilitation technology, including vehicular modification, telecommunications, sensory, and other technological aids and devices;

(8) small business enterprises;

(9) other goods and services determined necessary for the individual with a disability to achieve an employment outcome; and

(10) extended evaluation or post-employment services consisting of any of the above.

Attachment 7.2: Summary of the Comprehensive, Statewide Needs Assessment of the Rehabilitation and Career Needs of Individuals with Severe Disabilities and the Need for Supported Employment Services

Adults with severe work disabilities

About 28,000 Nebraskans are unable to work because of a physical or mental impairment. This is 3% of the adult population between the ages of 16 and 64. Of these, 18% are young adults (age 16-34), while 37% are in their prime working years (age 35-54). Within the adult population, severe work disability most commonly results from disorders of the musculo-skeletal system (45%), producing serious impediments in mobility and work tolerance. Although the proportions of adults impaired by serious mental disorders and mental retardation are relatively low (3.9% and 2.4% respectively), persons with these disorders are disproportionally represented among those receiving disability benefits from the Social Security Administration, and among those served by Vocational Rehabilitation.

Severe work disability has substantial adverse economic and social effects. Persons with severe work disabilities are three times more likely to be living in poverty (30% as opposed to 10% of the general Nebraska population). They are twice as likely to live outside of a family unit (17% as opposed to 9%).

For persons from racial and ethnic minority backgrounds, severe work disability is more common and the effects more catastrophic. Racial and ethnic minorities make up 7% of Nebraska's adult population, but 13% of the adult population with severe work disabilities. Among racial and ethnic minorities, severe work disability begins at a younger age, while proportionally fewer survive beyond age 55. The percentage living in poverty ranges from 46% (Hispanic backgrounds) to 51% (Native Americans), and the percentage living alone outside of a family unit consistently doubles. Their vocational rehabilitation is complicated by low educational achievement levels. Between 49% (African-Americans) and 62% (Hispanics) do not have high school diplomas.

Students with disabilities

There are about 9,300 students with disabilities age 14 -21 enrolled in Nebraska's secondary schools. Three disabling conditions account for almost 80%: learning disabilities (48%), mild mental retardation (18%), and behavioral disorders (12%). Annually 1,500 students with disabilities exit the schools into post-school activities and adult life. Of these, about 1,000 leave with a diploma or certificate, while 500 drop out or are expelled.

The overall drop out rate of 32% varies significantly by type of disabling condition, ranging from 0% (autism) to 62% (behavior disorders). Significant numbers of dropouts begin at age 15 and peak at age 17.

Career needs of persons with severe disabilities

Nebraska's economy is favorable for qualified persons seeking full-time competitive employment, with more job openings than persons seeking employment. There are significant labor shortages throughout the state, but particularly in the metropolitan areas, with about 15% of available vacancies going unfilled for lack of qualified applicants. During the last quarter of 1996, new positions averaging $12.21 per hour accounted for 40% of the hires. The remaining 60% were replacement positions averaging $8.57 per hour. Over half of Nebraska's employers offer health insurance to their full-time employees.

Available employment opportunities concentrate in the manufacturing, retail trade, finance, and service (including government) industries. About half of the opportunities are in operator, fabricator, production, craft, repair, and service work occupations. These occupations ordinarily do not require formal post-secondary education for entry. Advancement opportunities for entry employees are good to excellent for 35% to 45% of the available vacancies. These opportunities are highest in the metropolitan areas, among larger firms, and in the construction and manufacturing industries.

Although the statewide picture is positive, local labor markets vary considerably. Small rural labor markets are often dominated by one or two major employers, which constrains opportunities and causes fluctuations due to business conditions affecting the industry,

Vocational rehabilitation service needs of persons with severe disabilities

Under the Vocational Rehabilitation order of selection (see Attachment 6.7(c)(2)), persons with the most severe disabilities receive priority for services. Vocational Rehabilitation has also undertaken major initiatives to extend services to previously underserved groups (i.e., persons whose disabilities result from mental illness, mental retardation and other developmental disabilities, and brain injuries), persons from ethnic and racial minority backgrounds, and students with disabilities. The combined effect of these has significantly altered the nature of vocational rehabilitation services needed by those receiving services. Major service needs include–

- Learning about, accessing, and coordinating available services and supports. Persons with severe work disabilities have complex needs, complicated by poverty and lack of social support networks. They must seek out services and supports from a number of different community agencies, organizations, and programs to fully meet their needs, and coordinate those they do receive.
- Career counseling and planning services to access employment providing career opportunities. Traditional career assessment, counseling, and planning methods are disconnected from labor market realities and marginally effective with persons whose cognitive impairments affect reasoning and judgment.
- Skill training and behavior management services provided in integrated competitive employment settings. Traditional formal classroom and segregated program training methods are marginally effective with persons whose cognitive impairments affect transfer of skill.
- Personalized vocational rehabilitation services responsive to unique individual needs and person-environment interactions. The complexity of service needs among persons with severe work disabilities is complicated by their unique "one of a kind" nature. Traditional services based on "programs" and "slots" are marginally effective with the current population.
- Rehabilitation technology services to overcome environmental barriers. Traditional approaches based on the concept of shaping the person to match the environment are marginally effective with the current population. Rehabilitation engineering can reshape work and living environments, while functional capabilities can be improved with assistive devices.
- Transportation is essential for employment and independence. Persons with severe work disabilities are limited in their opportunities by the lack of transportation. This is a community problem that must be addressed at the community level.

Need for supported employment services

Supported employment has grown into a major program. In March 1997, supported employment goals accounted for 18% of the active VR workload receiving services, and 20% of the persons entering competitive employment. About 50 new persons requiring supported employment services are added to the Vocational Rehabilitation workload each month. This is expected to continue.

The need is met by 177 supported employment service providers with agreements to provide services to Vocational Rehabilitation service recipients. Providers are predominantly (84%) small for-profit private businesses throughout the state.

Attachment 7.3: Quality, Scope, and Extent of Supported Employment Services

Quality of supported employment services

All services provided will be of high quality, as judged by prevailing professional standards and such legal standards as may apply. These services will be rendered by persons licensed, certified, or registered in accordance with the laws of the State of Nebraska to perform the services or, if the service is not regulated by the State, by persons who are able to demonstrate they are qualified by reason of education, training, and experience to perform the services.

Scope of supported employment services

The services made available by **Vocational Rehabilitation** using Title VI-C funds is limited to those initial services resulting in stable job performance in an integrated competitive work setting. These may include, as appropriate to individual needs:

1. An assessment of the need for supported employment services which is supplementary to and provided after an assessment of eligibility and rehabilitation need has determined that a person is eligible for services and is a person with a most severe disability.
2. Development and placement in integrated competitive employment for the maximum number of hours possible consistent with the person's unique strengths, resources, priorities, concerns, abilities, and capabilities.
3. Intensive on-the-job skills training and other training provided by skilled job trainers, coworkers, and other qualified persons. This training is based on a systematic analysis of the work to be performed, and a systematic analysis of the employer's performance expectations and requirements. It is conducted in accordance with a written plan identifying the methods of teaching, instruction, and behavior management necessary to enable the individual to acquire skills and master the work to be performed, to regulate behavior in accordance with the employer's requirements and expectations, and achieve stable job performance. The training provides for a systematic reduction of intensive teaching, instruction, and behavior management methods to the lowest intervention level necessary to maintain stable job performance.
4. Other vocational rehabilitation services, specified in Section 6.1.a of this plan, that are needed to achieve and maintain job stability including, but not limited to–
   a. Interpreter services for individuals with hearing impairments to permit communication between the individual and the skilled job trainer.
   b. Occupational licenses and permits required by federal, state, and local law to perform an occupation.
   c. Occupational tools and equipment required by the employer but not routinely provided to new employees.
   d. Rehabilitation technology services including adaptations and modifications of the workplace
   e. Work clothing and uniforms required by the employer but not routinely provided to new employees, and safety shoes and other articles of clothing necessary to permit safe performance on the job.
   f. Transportation from place of residence to the work site and return until the person can pay for the cost from earnings.
5. Follow-up services, including regular contact with the employer, the individual with a most severe disability, the individual's parents, guardian or other representative, in order to reinforce and stabilize the job placement.
6. On-going monitoring services from the time of job placement until the transition to extended services from one or more extended services providers. These services include, at a minimum, the assessment of employment stability and, based on that assessment, the coordination or provision of specific services needed to maintain employment stability.

Extent of supported employment services

1. Services for the assessment of rehabilitation need for supported employment services are made available to the extent necessary to determine the nature and scope of services to be provided under an individualized written rehabilitation program to achieve supported employment.

2. Job development and placement services are provided to the extent necessary to place the individual into integrated competitive employment consistent with his or her informed choice, or to determine on the basis of clear evidence that an employment outcome cannot be achieved.
3. Intensive on-the-job and other training services are provided to the person to the extent necessary to achieve stable job performance, or to determine on the basis of clear evidence this cannot be achieved. Services are provided for a maximum of 18 cumulative months, beginning on the day the person starts the job, unless a longer period is provided in the individual written rehabilitation program of the person.
4. Other services are made available to the extent necessary to support the individual in an individualized written rehabilitation program to achieve supported employment.
5. Follow-up services are provided to the individual to the extent necessary to assure that job stability has occurred, or to determine on the basis of clear evidence that job stability cannot be achieved.
6. On-going monitoring services are provided, at a minimum, twice monthly at the work site to assess employment stability and, based on that assessment, to coordinate or provide specific services needed to maintain employment stability. If off-site monitoring is determined to be appropriate, and is included in the person's individualized written rehabilitation program, it must, at a minimum, include two meetings with the person and one contact with the employer each month.

Transition to extended services

Vocational Rehabilitation transitions the person to extended services provided by other public agencies, nonprofit agencies or organizations, employers, natural supports, or other entities no later than 18 cumulative months after placement in supported employment (unless a longer period is established in the individualized written rehabilitation program), provided that–

- the person has made substantial progress toward meeting any hours per week work goal in the individualized written rehabilitation program,
- the individual is stabilized on the job, and
- extended services are available and can be provided without a hiatus in services.

Attachment 7.4: Goals and Plans for Distribution of Title VI, Part C Funds

Goal

To provide persons with the most severe disabilities with individualized supported employment services designed to achieve the goal of supported employment.

Plans For Distribution Of Title VI-C Funds

Funds received under Title VI, Part C will be distributed as fee for service payments for the costs of supported employment services provided to eligible persons with the most severe disabilities. Vocational Rehabilitation has purchase of service agreements with qualified providers for services leading to supported employment. These agreements identify the specific supported employment services available from the provider and their fees.

Attachment 7.5: Evidence of Collaboration Regarding Supported Employment Services and Extended Services

Vocational Rehabilitation enters into written agreements for the provision of supported employment services funded by **Vocational Rehabilitation**. These agreements are of three types. Cooperative agreements are used to implement master cooperative agreements with state funded Developmental Disabilities and Community Mental Health programs involving transferred funds to match Federal VR funds. Purchase of service agreements are used with public or private non-profit community rehabilitation programs providing supported employment services. Case service agreements are used with private for-profit entities providing supported employment services. **Vocational Rehabilitation** maintains written procedures for entering into all types of agreements.

Each agreement describes the time-limited services that will be provided to eligible persons with the most severe disabilities using funds from **Vocational Rehabilitation** prior to the transition to extended services. These services may include any of those described in Attachment 1.7A.

Cooperating organizations must agree to provide or arrange for, as a minimum extended service, twice monthly monitoring at the work site of each individual to assess job stability and, based on that assessment, to coordinate or provide specific services needed to maintain job stability. If off-site monitoring is determined appropriate, and included in the person's IWRP, then it must consist of two contacts with the person and one contact with the employer each month. These mandatory extended monitoring services apply to all agreements.

Vocational Rehabilitation currently has 177 agreements for the provision of supported employment and extended services. Of these, 29 are with public or private non-profit community rehabilitation programs and 148 are with private for-profit entities.

Attachment 7.6: Outreach Procedures for Identifying and Serving Individuals with the Most Severe Disabilities Who are Minorities

Outreach to persons with disabilities from minority backgrounds is extended through cooperative arrangements with programs, agencies, and organizations providing advocacy and other services to racial and ethnic minorities. These include reciprocal training and consultation to ensure the receipt of adequate and appropriate vocational rehabilitation services. The cooperating programs provide Vocational Rehabilitation staff with continuing training and consultation to develop and maintain cultural awareness and sensitivity necessary to provide adequate and appropriate services to those who can be served under the Order of Selection. Vocational Rehabilitation provides the cooperating programs with the continuing training and consultation to ensure their staff develop and maintain the service management skills necessary to arrange and coordinate the provision of needed services by other community agencies and programs to those who cannot be served by Vocational Rehabilitation under the Order of Selection.

2,001 in 2001

The Nebraska Vocational Rehabilitation Strategy for Creating the Cutting Edge in Customer Responsive Services

July 1, 1997 to June 30, 2001

Vocational Rehabilitation

State Office
PO Box 94987
Lincoln, NE 68509-4987

June 1997

The preparation of this plan was supported, in part, by State Vocational Rehabilitation Service Unit Basic Support Program Grant #H126A30039 from the Rehabilitation Services Administration, U.S. Department of Education. The vocational rehabilitation program is 78.7% federally funded. This plan can be made available, on request, in computer disk, large print, and Braille alternative and accessible formats.

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July 24, 1997

Mr. Frank Lloyd
Assistant Commissioner/Director
State Department of Education
Division of Rehabilitation Services
301 Centennial Mall South, 6th floor
Lincoln, Nebraska 68509

Dear Mr. Lloyd:

We have completed our review of the Nebraska Division of Rehabilitation Services Strategic Plan for Fiscal Years 1998-2000. The plan will become effective October 1, 1997. The Strategic Plan meets the Federal requirements. We are returning a copy of the plan for your files.

Sincerely,

Douglas L Burleigh

Douglas L. Burleigh, Ph.D.
Regional Commissioner

Enclosure

cc:
Ms. RoseAnn Ashby
Dr. Douglas Christensen
Dr. James Nyman

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Throughout the Nation.

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Mission, vision, values, and principles of Vocational Rehabilitation

Mission

The mission of **Vocational Rehabilitation** is to operate a comprehensive, coordinated, effective, efficient, and accountable program of vocational rehabilitation that is designed to assess, plan, develop, and provide individuals with disabilities with vocational rehabilitation services consistent with their strengths, resources, priorities, concerns, abilities, and capabilities, so that they may prepare for and engage in gainful employment.

Vision

People with significant disabilities in Nebraska will have ready access to an equitable, comprehensive, and coordinated system of personalized, flexible, and innovative vocational rehabilitation services and supports, responsive to their needs, choices, and satisfaction.

Values and principles

The vision is based on basic values and principles about the needs, choices, and satisfaction of people with significant disabilities and a responsive system for providing vocational rehabilitation services and supports

System

The valued system for responding to the total range of needs of people with disabilities is characterized by–

- equity in access to and resource allocations for services and supports
- comprehensiveness
- coordination of services and supports
- responsiveness to both short-term and long-term needs

The scope of vocational rehabilitation needs of people with disabilities transcends that which can be met by a single program or agency in the community. **Vocational Rehabilitation** is responsible for leadership, advocacy, and education to ensure that the full scope of needed community services and supports, including those provided by programs and agencies serving people in the general population, are readily accessible and available to all people with disabilities.

Services and supports

The valued characteristics of vocational rehabilitation services and supports are–

- dignified and respectful interaction
- responsive to individual needs and choices
- flexible
- innovative

Vocational Rehabilitation is responsible to plan, design, and implement policies, procedures, and methods to ensure that the services and supports it provides directly, arranges and coordinates from other agencies and programs, and purchases from community rehabilitation programs and providers, possess these valued characteristics.

Outcomes

Vocational rehabilitation services and supports have the valued outcomes of –

- employment and economic self-sufficiency,
- independence, and
- community inclusion and integration.

Vocational Rehabilitation is accountable to people with disabilities and to the public at large to measure and report its accomplishments in achieving these valued outcomes.

Strategic plan development

This Strategic Plan covers the period from July 1, 1997 to June 30, 2001. It builds on the previous Vocational Rehabilitation Strategic Plan, but departs from it in a very significant way. The previous plan was top-down: the product of an independent Long Range Planning Committee. This plan is bottom-up. It is the culmination of over a year of grassroots local planning in which each office was responsible for setting its strategic goals and developing local strategic activities within an intentionally broad strategic framework.

Framework

This Strategic Plan sets out a challenging goal: to create the cutting edge in customer responsive vocational rehabilitation services. Achieving this goal will result in ***2,001*** placements into gainful employment in the year ***2001***. Our long-term goal is intended to:

- maintain our commitment to serve those with the most significant disabilities (currently 87% of new acceptances),
- more than double our current number of placements,
- require no appreciable increase in staff and resources, and
- promote fundamental organization and service delivery process changes.

Principles

To become the customer responsive service delivery system we envision, we must make fundamental changes in our organization and methods. Our guiding principles for these fundamental changes are–

- ***Commitment*** to our purpose, mission, and values guides our responsiveness and services to customers.
- ***Steering*** our activities and those of others toward our common goal of a customer responsive service delivery system
- ***Teamwork and partnerships*** will achieve our goal.
- ***Broad focus*** on our goal and activities, not a focus on narrow outcomes and activities.
- ***Long-term thinking*** about benefits to our customers and their communities guides our planning and doing.

Scope

The Strategic Plan is based on local grassroots plans. Each local office developed its initial Strategic Plan in October 1996, and revised and updated it in March 1997. Local planning participants included all local office staff, and community employers, schools, community organizations, and consumer groups. The overall Strategic Plan below summarizes significant strategic objectives necessary to achieve our strategic goals. It encompasses both local and statewide activities and projects which will impact on the overall system for providing vocational rehabilitation services.

To facilitate annual review and updating, Attachment 1 contains the annual evaluation of Strategic Plan activities undertaken during the year. Attachment 2 describes specific programs, projects, and activities planned for the coming year to be funded through the Strategic Plan set aside.

Approach

Carrying out our Strategic Plan within an intentionally broad framework for action involves four essentials for multi-faceted and systemic action–

- ***Local action*** within the framework of Nebraska's strong tradition of local control, and wide variations in local economies across the state.
- ***Advocacy*** by all Vocational Rehabilitation staff for economic self sufficiency, independence, and community participation inclusive of all persons with disabilities.
- ***Balance*** of local strategic initiatives, considering available resources.
- ***Flexibility*** to engage in long-term activities while retaining the ability to capitalize on new, unpredictable opportunities emerging in an era of uncertainty.

Review and updating

The Strategic Plan is reviewed and updated annually, with input from the interested public at forums throughout the state and from the State Rehabilitation Advisory Council and Statewide Independent Living Council.

Strategic goals and objectives

Our goal is to create the cutting edge for customer responsive services. This goal reflects the reality that state of the art practices and research findings in vocational rehabilitation are inadequate to ensure employment, economic self-sufficiency, independence, and community integration for all persons with significant disabilities. A new cutting edge must be developed: one which is responsive to the vocational rehabilitation needs of Nebraskans with significant disabilities.

Achieving our goal will result in ***2,001*** placements into gainful employment in the year ***2001***. Our long-term goal will more than double our current number of placements, maintain our commitment to serve those with the most serious disabilities (currently 87% of new eligible persons), and require no appreciable increase in staff and resources. We can achieve the fundamental changes needed to create the cutting edge for customer responsive services by developing possibilities in six fruitful goal areas–

Employment

Improve the quantity and quality of employment outcomes achieved by persons with significant disabilities through projects and activities designed to–

- access new competitive employment opportunities through partnerships with targeted businesses and industries (i.e., those offering living wages, fringe benefits, and career advancement opportunities)
- invest in new competitive employment opportunities
- improve planning for and support of employment in small business enterprises
- increase the use of rehabilitation technology in employment and community living settings
- increase access to and use of current state and local labor market and business trend data to improve employment outcomes
- increase involvement of the employment and the business community (employers, Human Resource Managers, Chambers of Commerce, business and industrial associations, etc.) in advising and evaluating services
- improve choice, competition, and quality of supported employment services
- improve career exploration, assessment, and planning capabilities
- improve job retention and career advancement opportunities
- increase placement capabilities
- expand vocational training opportunities in integrated settings allowing for the use of on-the-job training
- improve training opportunities in basic vocational skills desired by employers
- improve job seeking skills and job search training
- improve the extent and type of customer involvement in the review and selection of employment and rehabilitation goals
- assist employers in accommodating, evaluating, training, or placing individuals with disabilities in the workplace

Community

Increase responsibility, involvement, cooperation, and coordination of the various communities with a stake in vocational rehabilitation through projects and activities designed to–

- support funding of the State Rehabilitation Advisory Council and the Statewide Independent Living Council
- develop consumer capacities for local leadership, mentoring, peer support, and advice giving
- develop marketing strategies, plans, materials, media, and resources to increase involvement of the local employment and business community (e.g., employers, human resource managers, Chambers of Commerce, business and industrial associations)

- improve communication, involvement, and working relationships with community consumer and advocacy organizations, community rehabilitation programs, local public agencies, business, industry, labor, and centers for independent living
- enhance local Elks partnerships

Transition

Promote movement from school to appropriate post-school employment and independent living activities for students with disabilities through the Transition Partnership Initiative to–

- assure access to transition services to students with disabilities through Transition Partnerships between local Educational Service Units and school districts, **Vocational Rehab**ilitation, and Special Education.
- assure students with disabilities are included in the school-based, linking, and work-based activities developed through the Nebraska Alliance for Learning, School to Work Initiative.
- assure students with disabilities exiting the schools receive the vocational rehabilitation services they require to achieve economic self sufficiency and independence.

Underserved groups

Expand and improve vocational rehabilitation services for underserved groups and those who are members of racial and ethnic minority groups through projects and activities designed to–

- improve knowledge and understanding of the characteristics and rehabilitation needs of underserved groups and those who are members of racial and ethnic minority groups
- improve and expand the provision of employment services in integrated settings to persons disabled by severe mental illness, brain injury, and low prevalence significant disabilities who have been underserved in the past by **Vocational Rehab**ilitation.
- improve and expand the provision of employment services in integrated settings to persons who are members of racial and ethnic minority groups including African-Americans, Native Americans, and those from Hispanic backgrounds who have been underserved in the past by **Vocational Rehab**ilitation.

Human resources

Improve the knowledge and ability of human resources used by **Vocational Rehab**ilitation and its community partners to create and provide "beyond the cutting edge" services through projects and activities designed to–

- support the comprehensive system of personnel development which includes: initial training of new staff, training responsive to organizational needs (including training in the use of rehabilitation technology), and training responsive to team and individual performance needs
- provide training and technical assistance to providers of supported employment services and supports to improve quality of employment outcomes, expand the availability of supported employment options, and increase services to underserved populations
- provide disability awareness training and reasonable accommodation technical assistance to members of the business community to increase hiring, retention, and advancement of persons with significant disabilities
- improve the qualifications of persons employed in the direct provision of vocational rehabilitation services through formal certificate or degree granting programs
- restructure jobs, job functions, and work processes to promote efficient and effective provision of vocational rehabilitation services and supports

Accountability

Improve accountability to customers and the various publics with a stake in employment of persons with disabilities through projects and activities designed to–

- enhance the collection and analysis of data (including satisfaction data) necessary for the quarterly and annual evaluation of the effectiveness of the vocational rehabilitation program
- promote the reporting of the quarterly and annual evaluation of the effectiveness of the vocational rehabilitation program to customers and the various publics with a stake in employment of persons with disabilities

- obtain local customer satisfaction and related information necessary for continuous program development and improvement

Resources

The Director of **Vocational Rehabilitation** and the Director of Rehabilitation Services for the Visually Impaired (RSVI) have agreed to follow the same split used in the Title I program (i.e., 84.5% to **Vocational Rehabilitation** and 15.5% to RSVI) in determining the split of the 1.5% set aside from the Nebraska allotment of federal vocational rehabilitation funds, and from any Title I, Part C allotment. **Vocational Rehabilitation** will set aside at least 1.5% from its share of the federal allotment for use in implementing this Strategic Plan.

Evaluation

Criteria

All activities under the Strategic Plan are expected to produce identifiable results and products, and can be evaluated in relation to these criteria. Examples include–

- tangible products or goods delivered
- numbers of events held (conferences, meetings, training programs, etc.)
- specific services provided
- numbers of persons attending events or receiving services
- scheduled and actual delivery dates for products, goods, or services
- measures of participant satisfaction
- measures of participant knowledge, skills, attitudes, or behavior
- measures of participation rates, completion rates, and employment rates
- measures of participant income, earnings, and benefits

Contractors, grantees, and others responsible for carrying out Strategic Plan activities provide periodic progress reports, final reports, or an annual report for multi-year activities, as appropriate to nature of the work to be done, detailing their accomplishments and results. If specific objectives have not been achieved, reports state the reasons, and describe alternative approaches that will be taken.

Annual evaluation

Vocational Rehabilitation annually evaluates the extent to which Strategic Plan objectives have been achieved as a result of the activities undertaken. This considers the reports available for each of the activities, and information from the continuing statewide studies, consumer satisfaction surveys, or public forums bearing on particular goals and objectives. This evaluation is summarized in Attachment 1 to the Strategic Plan. If specific objectives have not been achieved, the annual evaluation describes the reasons and alternative approaches that will be taken.

Dissemination

The Strategic Plan is disseminated to members of the State Rehabilitation Advisory Council and the Statewide Independent Living Council, key disability related organizations, and key state agencies and community rehabilitation programs. Copies are maintained in **Vocational Rehabilitation** field offices for review and inspection by interested persons. Copies are also be made available, upon request, to interested persons. The Strategic Plan can be made available, on request, in computer disk, large print, and Braille alternative and accessible formats.

Attachment 1. Annual evaluation: July 1, 1996 to June 30, 1997

This attachment summarizes the accomplishments and achievements in achieving Strategic Plan goals for the period between July 1, 1996 and June 30, 1997.

Rehabilitation services responsive to the needs and choices of people with disabilities

To achieve this strategic goal, Vocational Rehabilitation engaged in activities to encourage and enhance the empowerment, involvement, and full participation of persons with disabilities in the planning and delivery of rehabilitation services. These included activities involving persons with disabilities in the planning and review of policies, procedures, and practices for the delivery of services.

Progress in 1996-1997

1. The activities of the State Rehabilitation Advisory Council and Statewide Independent Living Council were financially supported.
2. *2,001 in 2001: The Nebraska Vocational Rehabilitation Strategy for Creating the Cutting Edge for Customer Responsive Services* was developed and implemented. This activity required a major commitment of time since it extended strategic planning concepts and practices throughout the entire organization and required significant commitments from every person in the organization.

Comprehensive, cooperative, and coordinated provision of services to people with disabilities by public and private agencies and organizations

To achieve this strategic goal, Vocational Rehabilitation engaged in activities to encourage and enhance coordination and cooperation with other public and private agencies, community rehabilitation programs, and consumer organizations. The focus of these activities was the expansion of vocational rehabilitation services to specific target populations (students in transition, persons disabled by head injuries, etc.), the improvement of access to services provided by others (independent living, mental health, physical restoration, etc.), and the study and development of state policy regarding services to persons with disabilities.

Progress in 1996-1997

1. The *Transition Partnership Initiative* to facilitate the transition of youth with disabilities into employment, independent living, and community life was continued and expanded. The Transition Partnership Initiative builds on Nebraska's Transition Services Systems Change Project, an OSERS funded project jointly administered by Vocational Rehabilitation and Special Education. Federal funding for this project ended on September 30, 1996. State level systems change activities were continued, supported through the Vocational Rehabilitation Strategic Plan. The Transition Partnership Initiative has these long-range goals–
    1. To assure access to transition services to all students with disabilities through Transition Partnerships between local Educational Service Units and school districts, Vocational Rehabilitation, and Special Education.
    2. To assure all students with disabilities exiting the schools receive the vocational rehabilitation services they require to achieve economic self sufficiency and independence.
    3. To assure all students with disabilities are included in the school-based, linking, and work-based activities developed through the Nebraska Alliance for Learning, School to Work Initiative.

    During the year, about 1,800 students with disabilities received transition services through the Transition Partnership Initiative. Local Vocational Rehabilitation staff were actively involved in all local partnerships established under the Nebraska Alliance for Learning, School to Work Initiative. This involvement supported inclusion of students with disabilities in all STW activities.
2. To create and demonstrate the effectiveness of vocational rehabilitation services responsive to the vocational rehabilitation needs of persons disabled by brain injuries, a pilot project involving the "Brain Book," comprehensive cognitive compensation system for support of persons with brain injuries in work, home, and community settings was established in Kearney. In addition, preliminary local planning regarding using a combination of natural and short-term intensive supports to maintain persons with brain injuries in employment (e.g., the Moss Rehabilitation model) and a "business enterprise" model to create small business employment opportunities for persons disabled by brain injuries occurred.

Knowledge needed to ensure that people with disabilities achieve valued outcomes

To achieve this strategic goal, Vocational Rehabilitation engaged in education, training, technical assistance, and public awareness activities. These were directed at Vocational Rehabilitation staff, service providers in other agencies and community rehabilitation programs, persons with disabilities, employers, and the general public. The content of education, training, technical assistance, and public awareness activities included: essential or state of the art rehabilitation methods and techniques, rehabilitation technology, community development and involvement, and other topics directly related to the goals of employment, independent living, and community inclusion for persons with disabilities.

Progress in 1996-1997

1. Training, on-site technical assistance, and other short-term support to employers in Central and Western Nebraska in hiring, training, accommodating, and maintaining persons with disabilities in the workplace was provided.
2. The In-Service Training grant was supplemented to provide a comprehensive program of staff development to all classes of persons employed by Vocational Rehabilitation and develop a certificate program in rehabilitation counseling in Nebraska. This continued activities necessary to supplement the current In-Service Training grant which was underfunded without explanation by the Rehabilitation Services Administration.
3. Training and technical assistance was provided to providers of supported employment services to expand the availability of and improve the quality of services.

Prompt, equitable access to rehabilitation services for all eligible people with disabilities

To achieve this strategic goal, Vocational Rehabilitation engaged in activities to: secure the funding necessary to serve all eligible persons who apply; maximize access to vocational rehabilitation services for persons with disabilities from minority backgrounds and those with disabilities that have been unserved or underserved in the past; and reduce and remove organizational barriers to prompt service access.

Progress in 1996-1997

1. Although the Nebraska Legislature had not passed final appropriations at the time this report was prepared, all indications were that Vocational Rehabilitation's funding through appropriations and funds transferred by cooperative agreements would be sufficient to match the full Federal allotment available. This will be the first time since 1988 that full match has been available.
2. Expanded outreach and referral activities to persons with disabilities from minority backgrounds and those with disabilities that have been unserved or underserved in the past have continued.
3. Job restructuring and work simplification activities to reduce and remove organizational barriers to prompt service access have continued.

Accountability system to measure and report outcomes

To achieve this strategic goal, Vocational Rehabilitation engaged in activities to develop, implement, and report accountability measures, including measures of consumer satisfaction and program benefit, responsive to information needs of the Federal and state governments, the State Rehabilitation Advisory Council, and the general public.

Progress in 1996-1997

1. Data collection, analysis, and reporting procedures were developed, along with initial related computer based supports.

Problems encountered and corrective actions

During the past year, we implemented a different approach to strategic planning; one based on a challenging long-range strategic goal and carried out through local initiatives. This change required more time and effort to accomplish than originally anticipated, producing slippage on some strategic goals and objectives. This is expected to be a one-time occurrence.

Slippage occurred in the development and implementation of the Key Results accountability system. It was originally anticipated this system would be operation by the beginning of the Federal 1997 fiscal year (October 1, 1996). The Federal 1998 fiscal year is now anticipated.

Unpredictable developments in the external environment require **Vocational Rehabilitation** to adjust the timing and nature of strategic activities in relation to these developments. For example, the Neurobehavioral Rehabilitation Act (LB803), if passed by the Legislature, would significantly alter the nature and scope of services available to persons disabled by brain injuries as well as **Vocational Rehabilitation**'s administrative responsibilities toward this population. Consequently, strategic planning activities relative to this population have been intentionally delayed.

Similarly, delays in operationalizing the Nebraska Health and Human Services Partnership, which dramatically changes the organization, delivery, and funding of human services for persons disabled by developmental disabilities and mental illness, have impacted the development of cooperative programs and strategic activities for these two segments of the population served by **Vocational Rehabilitation**.

Attachment 2. Action plan: July 1, 1997 to June 30, 1998

This attachment contains the Action Plan describing those systemic activities we anticipate undertaking between July 1, 1996 and June 30, 1997 to achieve Strategic Plan goals and objectives. Systemic activities are those related to the goals and objectives in the overall Strategic Plan which meet one or more of three criteria–

1. Multiple local offices will engage in an activity (i.e., the activity will impact multiple areas of the state).
2. An activity will have major system wide impact when completed (i.e., the activity will result in a product, program, process, or procedure that can be adopted system wide).
3. The activity can be completed by the award of a grant or contract to an outside entity with specialized expertise (i.e., the activity will result in an outcome which can be used system wide).

As noted in the overall plan, systemic activities are subject to change or modification as new and unpredictable opportunities emerge.

Employment

To achieve this strategic goal, **Vocational Rehabilitation** engages in activities to improve the quantity and quality of employment outcomes achieved by persons with significant disabilities.

Activities for July 1, 1997 to June 30, 1998

1. *Alliances for Creative Employment.* Develop and implement 3 way partnerships with selected supported employment service providers and local targeted businesses and industries for the purpose of increasing access to local competitive employment opportunities offering living wages, fringe benefits, and career advancement. **Vocational Rehabilitation** will fund detailed job and task analyses of positions in the business or industry by the supported employment service provider. These analyses will be used by **Vocational Rehabilitation** in customer assessment and matching to available employment opportunities; the employer in selecting qualified applicants; and the provider in the provision of intensive on the job training and follow-up services.
2. *Business Investment Program*. Obtain access to new jobs offering full time employment with living wages, fringe benefits, and career advancement opportunities by purchasing workplace equipment for new or expanding businesses in exchange for hiring persons with significant disabilities. The number and type of positions and the equipment to be purchased will be negotiated with the business.
3. *Business Enterprise Program*. Increase customer access to small business enterprise employment by developing local capacity to obtain expert business management assistance and supervision in planning, establishing, and operating small businesses. This may be accomplished by participation and partnerships with REAP, SCORE, NSBDC, local economic development or enterprise zone activities, independent business associations, or contracts with local resources.
4. *Mobile Rehabilitation Technology Program.* Increase the use of rehabilitation technology in employment and community living settings by establishing a mobile program to provide on-site environmental modification and assistive technology services throughout the state.
5. *LMI Access*. Increase customer and staff access to current employment and economic trend information necessary for informed choice of employment goals by adapting existing hardcopy and dedicated computer based information systems to Internet delivery.
6. *Employer Involvement*. Increase employer and business community involvement in advising and evaluating vocational rehabilitation services by establishing local business advisory groups, conducting local business recognition breakfasts, luncheons, or dinners, awarding recognition momentos (e.g., plaques, certificates, calendars, mousepads, pens, and other articles of nominal value), and related activities.
7. *Supported Employment Enhancement.* Expand and improve choice, competition, and quality of supported employment services by developing additional supported employment providers in underserved areas of the state, increasing the availability of underused supported employment options (e.g., enclaves, work crews, transitional employment, affirmative businesses), and expanding the competencies of supported employment providers to serve groups who have been underserved in the past by **Vocational Rehabilitation**.

Community

To achieve this strategic goal, **Vocational Rehabilitation** engages in activities to encourage and enhance involvement, coordination, and cooperation with consumer groups and organizations, community rehabilitation programs, and other public and private agencies. The focus of these activities is the expansion of community services and supports available to persons with significant disabilities.

Activities for July 1, 1997 to June 30, 1998

1. *Councils*. Support the activities of the State Rehabilitation Advisory Council and Statewide Independent Living Council.
2. *Consumer Capacity Building*. Enhance the capacities of local consumer groups and individual consumers to assume increasing responsibilities in the areas of local leadership, mentoring, peer support, and advice giving by supporting training, consultation, and technical assistance and promoting local consumer participation in state and national consumer activities.
3. *Business Marketing*. Develop marketing strategies, plans, materials, media, and resources to increase involvement of the local employment and business community (e.g., employers, human resource managers, Chambers of Commerce, business and industrial associations).
4. *Consumer Involvement*. Increase local consumer involvement in advising and evaluating vocational rehabilitation services by establishing local consumer advisory groups, conducting local consumer recognition breakfasts, luncheons, or dinners, awarding recognition momentos (e.g., plaques, certificates, calendars, mousepads, pens, and other articles of nominal value), and related activities.

Transition

To achieve this strategic goal, **Vocational Rehabilitation** engages in the Transition Partnership Initiative to facilitate the transition of youth with disabilities into employment, independent living, and community life. The Transition Partnership Initiative involves local partnerships between local Educational Service Units and school districts, **Vocational Rehabilitation**, Special Education, and Nebraska Alliance for Learning STW partnerships.

Activities for July 1, 1997 to June 30, 1998

1. *Transition Partnership Initiative*. Provide leadership, consultation, and support to local Educational Service Units, school districts, Special Education, and Nebraska Alliance for Learning STW partnerships in the development and delivery of transition services to assure students with disabilities have access to transition services, are included in Nebraska Alliance for Learning, School to Work Initiative, and receive the vocational rehabilitation services they require to achieve economic self sufficiency and independence when they exit school.
2. *Parental Involvement*. Increase parental involvement in transition and vocational rehabilitation by developing scripted parent presentations and support materials, life and career planning workshops and support materials, and conducting workshops and peer groups to assist students and their parents in developing long-term rehabilitation plans and goals.
3. *Transition Material and Resource Development*. Improve access to and quality of transition services by developing resource and training materials for use by school personnel for comprehensive transition services to improve the ability of youth with disabilities in transition to make appropriate career choices and select appropriate training options, including components for:
    - guided classroom exploration (looking at interests, skills, and values),
    - field trips and business tours to provide exposure to community businesses,
    - on-the-job evaluations at established OJE sites,
    - expanded vocational assessments and independent living activities,
    - work experience programs to allow students to gain experience and knowledge of work activities,
    - mentoring programs (especially for alternative schools and select populations), and
    - mini JSS sessions.
4. *Improve School Capabilities*. Improve the capabilities of school personnel to provide transition services by developing and conducting in-services for school personnel (special ed., regular ed., industrial arts, home economics) in the use of transition materials and resources.

Underserved groups

To achieve this strategic goal, **Vocational Rehabilitation** engages in activities to expand and improve vocational rehabilitation services for underserved groups and those who are members of racial and ethnic minority groups. The focus of these activities is on persons disabled by severe mental illness, brain injury, and low prevalence significant disabilities who have been underserved in the past by **Vocational Rehabilitation**, and those persons with significant disabilities who are members of racial and ethnic minority groups (e.g., African-Americans, Native Americans, Asians, and those from Hispanic backgrounds).

Activities for July 1, 1997 to June 30, 1998

1. *Brain Book*. Demonstrate the effectiveness of the "Brain Book," a comprehensive cognitive compensation system for support of persons with brain injuries in work, home, and community settings by conducting one or more pilot projects.
2. *Job Retention*. Demonstrate the effectiveness of the Moss Rehabilitation model using a combination of natural and short-term intensive supports to maintain persons with brain injuries in employment by conducting 2 pilot projects.
3. *Consumer Peer Support*. Demonstrate the effectiveness of a consumer peer support model to create new employment opportunities and improve employment and job retention of persons from underserved groups.
4. *Indigenous Workers*. Demonstrate the effectiveness of using indigenous workers as culturally sensitive liaisons for enhancing outreach, referral, and service participation to persons with significant disabilities who are members of racial and ethnic minority groups (e.g., African-Americans, Native Americans, Asians, and those from Hispanic backgrounds).
5. *Knowledge and understanding*. Improve **Vocational Rehabilitation** staff knowledge and understanding of the characteristics and rehabilitation needs of underserved groups and those who are members of racial and ethnic minority groups by conducting training programs developed and delivered by members of the concerned groups.

Human resources

To achieve this strategic goal, **Vocational Rehabilitation** engages in education, training, technical assistance, and public awareness activities directed at **Vocational Rehabilitation** staff, service providers in other agencies and community rehabilitation programs, persons with disabilities, employers, and the general public. The focus of these activities is on state of the art rehabilitation methods and techniques, rehabilitation technology, community development and involvement, and other topics directly related to the goals of employment, independent living, and community inclusion for persons with disabilities.

Activities for July 1, 1997 to June 30, 1998

1. *Comprehensive Personnel Development*. Conduct a comprehensive program of **Vocational Rehabilitation** personnel development which includes: initial training of new staff, training responsive to organizational needs (including training in the use of rehabilitation technology), and training responsive to team and individual performance needs. The cost of this activity is partially supplemented by the In-Service Training grant.
2. *Supported Employment Training and Technical Assistance*. Provide training and technical assistance to providers of supported employment services and supports to improve quality of employment outcomes, expand the availability of supported employment options, and increase services to underserved populations.
3. *Disability and Reasonable Accommodation Awareness*. Provide disability awareness training and reasonable accommodation technical assistance to members of the business community to increase hiring, retention, and advancement of persons with significant disabilities.
4. *Rehabilitation Certificate Program*. Support development of a certificate program at UNO to improve the qualifications of persons employed in the direct provision of vocational rehabilitation services.

Accountability

To achieve this strategic goal, **Vocational Rehabilitation** engages in activities to develop, implement, and report accountability measures, including measures of consumer satisfaction and program benefit, responsive to information needs of persons with disabilities, the State Rehabilitation Advisory Council and Statewide Independent Living Council, the Federal and state governments, legislators, and the general public.

Activities for July 1, 1997 to June 30, 1998

1. ***Implement Key Results.*** Complete implementation of data collection, analysis, and reporting procedures, related computer based supports, and provide staff training needed for Key Results.
2. ***Local focus groups.*** Conduct local focus groups to assess customer satisfaction and responsiveness to individual needs.

Resource allocation plan

Resource allocations are for Strategic Plan activities in which costs beyond existing staff time and effort or available in-kind resources (such as leased vehicles) will be incurred. These resource allocations are estimates based on the experience of Vocational Rehabilitation in conducting similar activities.

Strategic Plan Resource Allocations

Goal/Activity	**Resources**
Employment	
Alliances for Creative Employment	$60,000
Business Investment Program	$200,000
Business Enterprise Program	$75,000
Mobile Rehabilitation Technology Program	$120,000
LMI Access	$40,000
Employer Involvement	$5,000
Supported Employment Enhancements	$160,000
Community	
State Rehabilitation Advisory Council	$27,945
State Independent Living Council	$96,565
Consumer Capacity Building	$35,000
Business Marketing	$75,000
Transition	
Transition Partnership Initiative-Local	$150,000
Transition Material and Resource Development	$50,000
Parental Involvement	$125,000
Improve School Capabilities	$25,000

Underserved groups	
Brain Book Demonstration	$15,000
Job Retention	$50,000
Consumer Peer Support	$25,000
Indigenous Workers	$60,000
Knowledge and understanding	$15,000
Human resources	
Comprehensive Staff Development	$28,000
Supported Employment Training and Technical Assistance	$35,000
Disability and Reasonable Accommodation Awareness	$20,000
Rehabilitation Certificate	$45,000
Accountability	
Key Results implementation	15,000
Local focus groups	9,000
Total Resource Allocation	$1,561,510